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History of the United States from the  
Compromise of 1850



HISTORY OF THE UNITED STATES  
FROM THE COMPROMISE OF 1850

VOL. V



HISTORY  
OF THE  
UNITED STATES

FROM  
THE COMPROMISE OF 1850

BY

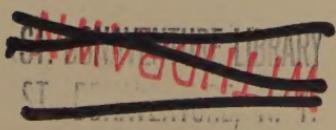
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# HISTORY OF THE UNITED STATES

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## CHAPTER XXIV

IT is worth while to begin this volume with a recapitulation of the salient events of our Civil War which began April 12, 1861 by the Confederate bombardment of Fort Sumter. The war was between twenty-three States with twenty-two million people of the North and eleven States of the South with a population of nine million. The first successes Bull Run and Ball's Bluff came to the South but in the early part of 1862 fortune turned to the North with many victories: those of a decisive character were Grant's capture of Fort Donelson and Farragut's taking of New Orleans. McClellan set out on his Peninsular campaign with a fine large army amid the confident hopes of his government and people, but by the first of July he had met with failure, having been outgeneralled by Robert E. Lee. Pope's disastrous campaign in Virginia followed, and the summer of 1862 ended in gloom. There were simultaneous invasions of Maryland by Lee and of Kentucky by Bragg but both were beaten back, Lee by McClellan at Antietam and Bragg by Buell at Perryville. The victory at Antietam

furnished the occasion for one of the most important events of the war, the issuance by President Lincoln on September 23 of his proclamation of emancipation. Up to this time the war on the part of the North had been ostensibly for the preservation of the Union alone although every one knew that in some way or other it turned on slavery; but from now on it became a war for the destruction of slavery as well as a struggle for nationality and the conviction grew that there could be no true and permanent reconstruction of the Union unless the cause of the trouble had perished. The proclamation was issued as a military necessity in the hope that it would help the operations of our armies but this hope was not at once realized. Burnside who succeeded McClellan as commander of the Army of the Potomac met in December, 1862 with a terrible disaster at Fredericksburg and Hooker who in turn replaced him went down before Lee the following May at Chancellorsville. It is true however that this anti-slavery policy helped us in England by arousing a popular sentiment that contributed with our wise diplomacy to the better maintenance of that neutrality which she had declared: the *Florida* and *Alabama* though had previously escaped to work their mischief on the high seas. Encouraged by his victory at Chancellorsville Lee invaded Pennsylvania and July 1, 2 and 3, 1863 met Meade (now the commander of the Army of the Potomac) at Gettysburg and was signally defeated. July 4 Vicksburg surrendered to Grant and a little later Port Hudson fell so that Lincoln could say truly, "The Father of Waters again goes unvexed to the sea." A great general had been developed. Grant manifested his ability at Donelson but the government and the people of the North did not appreciate him fully until after Vicksburg. Gettysburg and Vicksburg were the turning points in the war; from this time forward the preponderance of success was with the North. In the autumn of 1863 Chattanooga outmatched

Chickamauga; in 1864 the check to Grant in his Virginia campaign was more than compensated for by Farragut's victory in Mobile Bay, Sherman's successful campaign from Chattanooga to Atlanta and Sheridan's victories in the Shenandoah Valley. The re-election of Lincoln November 8, 1864 dispelled the illusion that the contest could be ended in any other way than by the complete overthrow of the military power of the South.

The logical course of the narrative now brings us to Sherman's march to the sea. Let us pause however for a moment to consider the character of William T. Sherman who in the popular consensus and in the estimation probably of a majority of experts was after Grant the greatest general on the Union side. Sherman, who came from distinguished New England stock, was graduated from West Point when twenty years old, and served in the regular army but during the Mexican war he was ordered to California instead of Mexico; later he resigned from the army and went into business but this venture was not a continued success. In July, 1859 he accepted the position of superintendent of a new military academy in Louisiana and on the following 1st of January opened the institution, throwing himself into the work with intelligence and energy. It is an interesting circumstance that he was living in the South at the time of the election of Lincoln and the secession of South Carolina, a close observer of passing events and a profound reasoner on their import. Foreseeing the withdrawal of Louisiana from the Union and deciding to maintain his allegiance to the Constitution he resigned his position to the regret of the governor, the supervisors, the Academic Board and others in authority. He went to Washington to see his brother, Senator John Sherman, and called on President Lincoln. "Ah!" asked the President, "how are they getting along down there" [in Louisiana]? "They think they are getting along swimmingly — they are preparing for war," was

the reply. "Oh well!" rejoined Lincoln, "I guess we'll manage to keep house." Sherman was disappointed at this seeming lack of comprehension of the crisis, and, when the two brothers had left the White House, broke out in his impetuous manner, saying to the senator in vehement words interlarded with profanity that the politicians had got the country into this grave situation and that they might get it out of the trouble as best they could!<sup>1</sup> He went to St. Louis and became president of a street railroad company, declining at first two offers of service under the government, but finally in May, 1861 he accepted a colonelcy in the regular infantry and took part in the Battle of Bull Run. He was sent to Kentucky and was visited there by Secretary of War Cameron, who asked him what force he thought necessary to drive the Confederates from the State. He replied promptly 200,000 men, a number which the Secretary deemed excessive; afterwards his estimate was construed to his prejudice in Washington.<sup>2</sup> Through the publication of the Adjutant-General's report,<sup>3</sup> the conversation of Cameron and Sherman got into the newspapers so that editors and people had the chance of discussing Sherman's supposed exaggeration of the work before him. Transferred from Kentucky to service in the field in Missouri, he gave Halleck the impression that "his physical and mental system is so completely broken by labor and care as to render him for the present entirely unfit for duty."<sup>4</sup> At times when he became excited he gave vent to his feelings in imprudent words which caused those who were not personally acquainted with him to think that his mind was deranged.<sup>5</sup> In December, 1861 he went to his home at

<sup>1</sup> Sherman's Memoirs, vol. i. p. 168. Resigning his position in Louisiana, Jan. 18, 1861, he visited Washington about March 10.

<sup>2</sup> O. R., vol. iv. p. 353. When the Official Records of the Union and Confederate Armies [O. R.] are referred to, Series I is meant unless otherwise stated.      <sup>3</sup> Ibid., p. 313.      <sup>4</sup> Ibid., vol. iii. part i. p. 198.

<sup>5</sup> Ibid., vol. viii. p. 441; Sherman's Memoirs, vol. i. p. 215.

Lancaster, Ohio for a brief rest but malicious reports followed him. The Cincinnati *Commercial* asserted that he was insane and that his actions at Sedalia (Missouri) were so mad that subordinate officers refused him obedience.<sup>1</sup> While in Kentucky he had in various ways offended a number of newspaper correspondents, having even put one of them in prison,<sup>2</sup> and he had distinctly lost favour with the press; and the report that Sherman was "crazy" was now widely spread by the newspapers<sup>3</sup> and was pretty generally believed by officers, soldiers and the public.<sup>4</sup> He remained under this cloud until the Battle of Shiloh in April, 1862, when he showed ability and courage; and henceforth, although he met with some reverses, he had the confidence of the army and the government. His campaign from Chattanooga to Atlanta resulting in the capture of this important railroad and strategic centre gave him a military reputation of a high order.

<sup>1</sup> The following is a citation from an editorial paragraph in the Cincinnati *Commercial* of Dec. 11, 1861: "The painful intelligence reaches us in such form that we are not at liberty to discredit it that General W. T. Sherman . . . is *insane*. It appears that he was at times when commanding in Kentucky stark mad. We learn that he at one time telegraphed to the War Department three times in one day for permission to evacuate Kentucky and retreat into Indiana. . . . At Sedalia . . . the shocking fact that he was a madman was developed by orders that his subordinates knew to be preposterous and refused to obey. . . . The harsh criticisms which have been lavished upon this gentleman, provoked by his strange conduct, will now give way to feelings of the deepest sympathy for him." I have had a careful search made of the files of the New York *Tribune* and Cincinnati *Commercial*, and feel pretty sure that this is the first charge of insanity published in the newspapers. See also O. R., vol. viii. p. 819; *ibid.*, vol. lii. part i. p. 200.

<sup>2</sup> *Ibid.*, vol. viii. p. 819.

<sup>3</sup> *Ibid.*, p. 441; Sherman's Memoirs, vol. i. p. 216 *et seq.*

<sup>4</sup> In the account of this painful episode in Sherman's life I have been helped very much by an article of Leslie J. Perry's in the Washington *Post*, Sept. 13, 1891. That article, the correspondence cited from Official Records, the New York *Tribune* of Oct. 30, Nov. 2, 8, 9, 1861, the Louisville correspondent of the Cincinnati *Commercial*, Oct. 17, 23, 25, Nov. 9, 11, 12, 13, 20, the editorial of Dec. 11, 1861, Louisville correspondent Chicago *Tribune*, cited by Cincinnati *Commercial*, Oct. 19, 1861, have led me to a somewhat different version from that given by Sherman in his Memoirs. See also Memoirs of Henry Villard, vol. i. p. 210.

Sherman was honest, sincere, truthful and of high moral courage. He was at times tactless. Smarting under the doubts of his sanity, he wrote to Halleck December 12, 1861, "These newspapers have us in their power and can destroy us as they please."<sup>1</sup> Nevertheless he continued to defy the power of the press and had on that account more than one quarrel. A correspondent of the New York *Herald* defamed him and for the offence was excluded from the Western Army. Lincoln made an indirect and deferential request to Grant that the correspondent be permitted to return, but Grant would not acquiesce without the consent of Sherman which was in turn withheld. "The insolence of these fellows" [the newspaper correspondents], wrote Sherman, "is insupportable. . . . Mr. Lincoln of course fears to incur the enmity of the *Herald* but he must rule the *Herald* or the *Herald* will rule him."<sup>2</sup>

As a general Sherman was fertile in conception. A few words of his to Grant after he had written and telegraphed to the commander-in-chief pretty fully about his projected march to the sea is worth a page of elaboration: "I still have some thoughts in my busy brain."<sup>3</sup> To this mental activity and fluent utterance there was joined as is not uncommon, a habit of reckless speech.<sup>4</sup> Nervously restless in camp or on the

<sup>1</sup> O. R., vol. viii, p. 819.

<sup>2</sup> Force's Sherman, p. 115.

<sup>3</sup> Nov. 6, 1864. O. R., vol. xxxix, part iii, p. 658.

<sup>4</sup> Grant telegraphed Stanton Nov. 11, 1864: "All the Northern papers of 10th and especially the New York *Times*, contain the most contraband news I have seen published during the war. The *Times* lays out Sherman's programme exactly and gives his strength. It is impossible to keep these papers from reaching the enemy, and no doubt by to-morrow they will be making the best arrangements they can to meet this move." Stanton replied the same day: "I have seen with indignation the newspaper articles referred to, but they come from Sherman's army and generally from his own officers, and there is reason to believe he has not been very guarded in his own talk. I saw to-day in a paymaster's letter to another officer, his plans as stated by himself. Yesterday I was told full details given by a member of his staff to a friend in Washington. Matters not spoken of aloud in the Department are bruited by officers coming from Sherman's army in every Western printing-

march he was calm in battle.<sup>1</sup> With this characterization in mind let us view Sherman in camp at Atlanta<sup>2</sup> in September, 1864, mentally and bodily vigorous in his prime of forty-four years, his full book knowledge of his profession enlarged and made serviceable by three years of fruitful experience, his warm friendship with Grant useful to each and to their country and his busy brain planning an extraordinary movement. As early as September 10 he was meditating on the project of marching into the interior of Georgia and began to discuss by correspondence with Grant his future operations;<sup>3</sup> ten days later he broached the idea of marching to the sea. "If you can whip Lee," he wrote to his commander-in-chief, "and I can march to the Atlantic I think Uncle Abe will give us a twenty days' leave of absence to see the young folks."<sup>4</sup> On their side the Confederates were not idle. Jefferson Davis divulged their plans in a speech at Macon, before he visited Hood and his army and in a later one at Augusta. "What though misfortune has befallen our arms," he said, ". . . our cause is not lost. Sherman cannot keep up his long line of communication, and retreat sooner or later he must. And when that day comes the fate that befell the army of the French empire in its retreat from Moscow will be reacted. Our cavalry and our people will harass and destroy his army as did the Cossacks that of Napoleon and the Yankee general like him will

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office and street. If he cannot keep from telling his plans to paymasters, and his staff are permitted to send them broadcast over the land, the Department cannot prevent their publication." —O. R., vol. xxxix. part iii. p. 740. See also Grant to Stanton, *ibid.*, p. 749. Contrariwise see letter of C. F. Morse, Nov. 2, *Letters*, privately printed, p. 196.

<sup>1</sup> Besides the works quoted I have been helped in this characterization by the Sherman Letters; Cox's *March to the Sea*; Schofield's *Forty-six Years in the Army*.

<sup>2</sup> Hood abandoned Atlanta the night of Sept. 1. See vol. iv. p. 523.

<sup>3</sup> O. R., vol. xxxix. part ii. pp. 355, 364; J. D. Cox in Force's *Sherman*, p. 227.

<sup>4</sup> Sept. 20, O. R., vol. xxxix. part ii. p. 413.

escape with only a body-guard."<sup>1</sup> At Augusta ten days later he said, "We must beat Sherman, we must march into Tennessee — there we will draw from 20,000 to 30,000 to our standard and so strengthened we must push the enemy back to the banks of the Ohio and thus give the peace party of the North an accretion no puny editorial can give."<sup>2</sup> Hood began a movement on Sherman's communications, broke up his railroad, attacked Allatoona where he encountered a vigorous and successful defence by General Corse (October 5), demanded the immediate and unconditional surrender of Resaca, saying, "If the place is carried by assault no prisoners will be taken," and received the reply of the commanding officer "If you want it, come and take it" (October 12).<sup>3</sup> He did not attack Resaca but received the surrender of Dalton<sup>4</sup> and then marched in a westerly direction to Gadsden, Alabama.<sup>5</sup> Sherman was eager to bring on a battle but Hood shunned it for the fighting qualities of his troops were so impaired that he no longer trusted them.<sup>6</sup> He did little permanent damage; nevertheless in getting into the rear of the Union army he had made an adroit and audacious movement causing irritation to Sherman and anxiety to the authorities in Washington which was increased by

<sup>1</sup> Macon *Telegraph*, Sept. 24, cited by Augusta *Chronicle and Sentinel*, Sept. 25. Sherman called this "a very significant speech." — O. R., vol. xxxix. part ii. p. 488. See Hood's Advance and Retreat, p. 254.

<sup>2</sup> Augusta *Constitutionalist*, Oct. 4. Sherman wrote in his Memoirs, vol. ii. p. 141: Davis "gave us the full key to his future designs. To be forewarned was to be forearmed." The Augusta *Chronicle and Sentinel*, Nov. 19, and the Charleston *Courier*, Nov. 24, criticise Davis for his indiscreet utterances. See Pollard's Davis, p. 391; New York *Herald*, Nov. 12.

<sup>3</sup> Wever's report, O. R., vol. xxxix. part i. p. 753.

<sup>4</sup> The same threat was made, "If the place is carried by assault no prisoners will be taken." — Ibid., p. 718. The demands for the surrender of Resaca and Dalton were signed by J. B. Hood.

<sup>5</sup> He reached there Oct. 20. Ibid., p. 802.

<sup>6</sup> Hood wrote Davis Nov. 12: "I did not regard this army in proper condition for a pitched battle." — Ibid., part iii. p. 913; Hood's Advance and Retreat, p. 263.

his success in eluding the pursuit of the Union commander.<sup>1</sup> "The month of October closed to us looking decidedly squally," writes Sherman.<sup>2</sup> He had already sent Thomas to Nashville to protect Tennessee while he studied and reflected how he might checkmate Hood.

"Why would it not do for me," he asked Grant, October 1, "to leave Tennessee to the force which Thomas has and the reserves soon to come to Nashville and for me to destroy Atlanta and then march across Georgia to Savannah or Charleston, breaking roads and doing irreparable damage? We cannot remain on the defensive."<sup>3</sup> His mind was full of this plan and as the necessity and advantage of it crowded upon him he presented these considerations to his commander-in-chief in their frank and confidential correspondence. "It will be a physical impossibility to protect the roads now that Hood, Forrest and Wheeler and the whole batch of devils are turned loose without home or habitation," he wrote. . . . "Until we can repopulate Georgia it is useless to occupy it but the utter destruction of its roads, houses and people will cripple their military

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<sup>1</sup> Leaving one corps in Atlanta Sherman began his march northward with the rest of the army Oct. 4; on the 20th he was at Gaylesville, Alabama; there he remained until the 28th. Sherman wrote to his wife Oct. 19, 1864: "He [Hood] stole a march on me of one day and his men disengaged of baggage move faster than we can. I have labored hard to cut down wagons but spite of all I can do officers do not second me. All the campaign I slept without a tent and yet doctors and teamsters and clerks and staff-officers on one pretext or another get tents and baggage and now we can hardly move. I'll stop this or dispense with doctors, clerks, and staff-officers as 'useless in war.' Hood got up as far as the Tunnel before I could head him off but at Resaca I broke through the gap and he at once commenced to move South and is now beyond my reach. He may now try to enter Tennessee by way of Decatur. I shall make proper dispositions and if seconded can keep him South, but I cannot get anybody to move as quick as they should save some of my old favorites. Corse saved Allatoona by obeying promptly a message sent him by signals over the head of Hood's army." — Sherman's letters to his wife, MS. I am indebted to Mrs. Rachel Sherman Thorndike for the loan of these letters and for the kind permission to make use of them.

<sup>2</sup> Memoirs, vol. ii. p. 164.

<sup>3</sup> O. R., vol. xxxix. part iii. p. 3.

resources. . . . I can make the march and make Georgia howl."<sup>1</sup> He wrote two days later: Instead of following Hood "I would infinitely prefer to make a wreck of the road and of the country from Chattanooga to Atlanta including the latter city, send back all my wounded and worthless, and, with my effective army, move through Georgia, smashing things to the sea. Hood may turn into Tennessee and Kentucky but I believe he will be forced to follow me. Instead of being on the defensive, I would be on the offensive; instead of guessing at what he means to do he would have to guess at my plans. The difference in war is full 25 per cent."<sup>2</sup> While Sherman was planning, Grant at City Point and Lincoln, Stanton and Halleck in Washington were thinking constantly and profoundly about Sherman's project, as well they might, for it was a new departure in the strategy of our Civil War. "The President feels much solicitude in respect to General Sherman's proposed movement," wrote Stanton to Grant, "and hopes that it will be maturely considered. . . . A misstep by General Sherman might be fatal to his army."<sup>3</sup> "On mature reflection," wrote Grant the next day, "I believe Sherman's proposition is the best that can be adopted."<sup>4</sup> Word was sent to him that his plans were approved<sup>5</sup> and Sherman now applied himself to the conversion of Thomas, who at first did not favour his project,<sup>6</sup> and to making provision for the defeat of the enemy whatever course he might adopt. At this time he believed that Hood would not enter Tennessee.<sup>7</sup> His letter to Thomas of October 20 is a convincing argument for the soundness of his plan and a token of his precaution; he knew that he must succeed for he felt that if he failed, "this march would be adjudged the wild adventure of

<sup>1</sup> Oct. 9, O. R., vol. xxxix, part iii, p. 162.

<sup>5</sup> Oct. 13, *ibid.*, p. 240.

<sup>2</sup> Oct. 11, *ibid.*, p. 202.

<sup>6</sup> Oct. 17, *ibid.*, p. 334.

<sup>3</sup> Oct. 12, *ibid.*, p. 222.

<sup>7</sup> Oct. 17, *ibid.*, p. 333.

<sup>4</sup> Oct. 18, *ibid.*, p. 239.

a crazy fool."<sup>1</sup> "I propose," he wrote to Thomas, "to demonstrate the vulnerability of the South and make its inhabitants feel that war and individual ruin are synonymous terms. To pursue Hood is folly for he can twist and turn like a fox and wear out any army in pursuit. To continue to occupy long lines of railroads simply exposes our small detachments to be picked up in detail and forces me to make countermarches to protect lines of communication. I know I am right in this and shall proceed to its maturity. . . . I think Hood will follow me, at least with his cavalry. . . . If however he turns on you you must act defensively on the line of the Tennessee."<sup>2</sup>

At the same time Hood together with Beauregard, who had been placed in command of the department and was the superior officer,<sup>3</sup> had also been laying plans and had decided to cross the Tennessee River and invade Tennessee. October 30 Hood began to cross the river. This movement, which up to the last moment Sherman had deemed improbable<sup>4</sup> caused him annoyance and awakened apprehension in the minds of Thomas<sup>5</sup> and Grant. "Do you not think it advisable now that Hood has gone so far north to entirely settle him before starting on your proposed campaign?" telegraphed Grant to Sherman November 1. "With Hood's army destroyed you can go where you please with impunity. . . . If you can see the chance for destroying Hood's army attend to that first and make your other move secondary."<sup>6</sup> "If I could hope to overhaul Hood I would turn against him with my whole force," Sherman replied. ". . . Thomas will have a force strong

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<sup>1</sup> Sherman's Memoirs, vol. ii. p. 179.

<sup>2</sup> Oct. 20, O. R., vol. xxxix. part iii. p. 378.

<sup>3</sup> Ibid., pp. 782, 870, 874.

<sup>4</sup> Oct. 30, *ibid.*, p. 515.

<sup>5</sup> See correspondence, *ibid.*, p. 534 *et seq.*

<sup>6</sup> *Ibid.*, p. 576.

enough to prevent his reaching any country in which we have an interest. . . . No single army can catch him and I am convinced the best results will result from defeating Jeff Davis's cherished plan of making me leave Georgia by manœuvring.”<sup>1</sup> Before Grant received this despatch he had answered another of Sherman's, which gave a detailed report of the different bodies of troops and urged the soundness of his plan. “Go as you propose,”<sup>2</sup> he had telegraphed and to this Sherman replied that he would complete the arrangements for his departure.

The march to the sea, the march northward from Savannah, and the operations of Thomas in Tennessee are a combination of bold and effective strategy, only possible after the Chattanooga-Atlanta campaign and a fit sequel to it. A hundred persons may have conceived the design of advancing to the ocean but the genius of the general lay in foreseeing the possible moves of his adversary, in guarding against them and in his estimate of the physical and moral results of cutting the Confederacy in twain. Wise in precaution and fully conscious of the difficulties of the venture Sherman showed the same boldness and tenacity in sticking to his purpose when others shook their heads as Grant had shown in his Vicksburg campaign. No general, who lacked qualities of daring and resolution, would have persisted in his determination to advance through Georgia after Hood had crossed the Tennessee River especially when Grant himself for a time doubted the wisdom of the movement.<sup>3</sup> He was the commander and as he knew his men and comprehended the conditions he could lay no claim to success unless Thomas should defeat Hood. Therein, as the affair turned out, lay

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<sup>1</sup> Nov. 2, O. R., vol. xxxix, part iii. p. 594.      <sup>2</sup> Ibid., pp. 576, 594.

<sup>3</sup> Ropes says that Grant's advice was sound and intimates that Sherman took too great a risk. Papers of the Milt. Hist. Soc. of Mass., vol. x. p. 141.

the risk. Sherman knew Thomas through and through. Classmates at West Point they had ever since been friends and the vicissitudes of the Civil War had only served to draw them closer together despite their differences of opinion arising from their diverse temperaments.<sup>1</sup> Sherman had implicit confidence in Thomas, thought that he had furnished him a force sufficient for all emergencies and that the defence of Tennessee was not left to chance.<sup>2</sup> "If I had Schofield," Thomas wrote to Halleck November 1, "I should feel perfectly safe."<sup>3</sup> Sherman detached Schofield's corps from his army and sent it northward with instructions to report to Thomas for orders.<sup>4</sup> On the day that Sherman started for the sea Thomas telegraphed to him: "I have no fear that Beauregard [Hood] can do us any harm now, and if he attempts to follow you, I will follow him as far as possible. If he does not follow you I will then thoroughly organize my troops and I believe I shall have men enough to ruin him unless he gets out of the way very rapidly."<sup>5</sup> The opinion of the able and experienced critics,<sup>6</sup> who maintain that Sherman should have given

<sup>1</sup> See J. D. Cox in Force's Sherman, p. 197; vol. iv. of this work, p. 456.

<sup>2</sup> Sherman to Halleck, Oct. 27: "General Thomas is well alive to the occasion and better suited to the emergency than any man I have. He should be strengthened as much as possible as the successful defence of Tennessee should not be left to chance." — O. R., vol. xxxix. part iii. p. 461. Nov. 11: "I have balanced all the figures well and am satisfied that General Thomas has in Tennessee a force sufficient for all probabilities." — Ibid., p. 740, see also p. 494.

<sup>3</sup> Ibid., p. 582, see also p. 534.

<sup>4</sup> Ibid., p. 535.

<sup>5</sup> Nov. 12, ibid., p. 756. See also Thomas to Halleck, ibid., p. 732.

<sup>6</sup> Ropes, Papers of the Milt. Hist. Soc., vol. x. p. 144; Schofield, Forty-six Years in the Army, p. 336. The foresight of Schofield was remarkable. "He said that if Hood should not follow the southern movement but should turn his whole force upon Thomas with desperate purpose to drive him out of Tennessee, another veteran corps, though a small one, might make all the difference between defeat and victory. . . . Schofield expressed the strong conviction that Hood would not follow Sherman and that in middle Tennessee the real fighting must be done." — Cox, Reminiscences, vol. ii. p. 321.

Thomas more men is refuted by the statements of Sherman and Thomas themselves. Nor must it be forgotten that the Union commanders were at this time uncertain whether Hood would follow Sherman or move north toward Nashville.<sup>1</sup> The conferences between Beauregard and Hood, and Davis's despatch to Hood which have since been disclosed, attest the forethought of the Union generals in preparing for contingencies. While Hood before the end of October had won Beauregard's consent to his plan of invading Tennessee Jefferson Davis was not of the same mind. His telegram of November 7 (which however was not received by Hood until the 12th) is deficient in positiveness and has received various interpretations but there is little doubt that he meant to disapprove an advance into Tennessee before Sherman should be defeated.<sup>2</sup> In the light of events the army that marched to the sea proved to be unnecessarily large while 10,000 more men with Schofield might have saved some trial of soul; nevertheless, as things looked at the time, Sherman must be sufficiently strong to defeat Hood and the scattered forces of uncertain number which would gather to protect Georgia.<sup>3</sup> Moreover as his ultimate aim was to "re-enforce our armies in Virginia,"<sup>4</sup> he must have troops enough to cope with Lee until Grant should be at his heels. He reckoned that the force left in Tennessee was "numerically greater" than Hood's.<sup>5</sup> Considering everything

<sup>1</sup> Thomas just cited. This was in answer to a despatch of Sherman who had said, "I still believe however that public clamor will force him [Beauregard but it was Hood who was in active command] to turn and follow me." — O. R., vol. xxxix. part iii. p. 747.

<sup>2</sup> Ibid., pp. 896, 913; Hood's Advance and Retreat, p. 273; Davis's Confederate Government, vol. ii. p. 569 *et seq.*; Roman's Beauregard, vol. ii. pp. 287, 303 *et seq.*

<sup>3</sup> Beauregard estimated that 29,000 to 30,000 men could be collected in time to defend Georgia. O. R., vol. xliv. p. 933.

<sup>4</sup> Ibid., vol. xxxix. part iii. p. 660.

<sup>5</sup> Ibid., p. 659. This is confirmed by ibid., p. 893; vol. xlv. part i. p. 52 *et seq.*, p. 678; Gen. J. D. Cox in *The Nation*, Nov. 9, 1893, p. 352.

that could have been known between November 1 and 12 it seems clear beyond dispute that he made a fair division of his army between himself and Thomas.

Deliberation, care and foresight marked the thoughts of Sherman as he reviewed his decision; up to within six days of his start southward he held himself ready if need were to co-operate with Thomas in the pursuit of Hood, the one moving directly against the Confederates and the other endeavouring to cut off their retreat for it was clear to his mind that "the first object should be the destruction of that army,"<sup>1</sup> but as the days wore on the advantages of the march to the sea outweighed those of any other plan and the irrevocable step was taken. Stopping at Cartersville<sup>2</sup> November 12 on his progress southward he received Thomas's last despatch,<sup>3</sup> and replied "all right":<sup>4</sup> a bridge was burned severing the telegraph wire and all communication with Thomas and his government.<sup>5</sup> As was the case with Julian who "plunged into the recesses of the Marcian or Black forest," so was the fate of Sherman for many days "unknown to the world."<sup>6</sup> No direct intelligence from him reached the North from November 12 to December 14.<sup>7</sup> "I will not attempt to send couriers back," he had written to Grant, "but trust to the Richmond papers to keep you well advised."<sup>8</sup> For these thirty-

<sup>1</sup> O. R., vol. xxxix. part. iii. p. 659.

<sup>2</sup> See Map Sherman's Campaign from Chattanooga to Atlanta, vol. iv.

<sup>3</sup> *Ante*. p. 13. <sup>4</sup> O. R., vol. xxxix. part iii. p. 757.

<sup>5</sup> Sherman's Memoirs, vol. ii. p. 169.

<sup>6</sup> See Gibbon, chap. xxii.

<sup>7</sup> The first news was a brief despatch from Howard dated Dec. 9, when the army was within ten miles of Savannah. This was brought to Hilton Head by Captain Duncan, a scout who descended the Ogeechee River in a small boat and was with further information imparted by Duncan, transmitted to Halleck by Foster, reaching Washington the evening of Dec. 14. O. R., vol. xliv. p. 699. Sherman's two despatches of Dec. 13—the first that he sent—were not received in Washington until Dec. 18, although it is erroneously stated in O. R. they were received the 15th. See O. R., vol. xliv. pp. 700, 701, 740, 741; *New York Tribune, Herald*, Dec. 15, 16, 17, 19.

<sup>8</sup> O. R., vol. xxxix. part iii. p. 661.

two days Lincoln and Grant had no other information of this important movement than what they could glean from the Southern journals.

Sherman's imagination was impressed vividly with the strangeness of the situation: "two hostile armies were marching in opposite directions, each in the full belief that it was achieving a final and conclusive result in a great war."<sup>1</sup> It would be impossible to show an entire consistency in the utterances of this great general; at times one aspect of the campaign appeared to him to the exclusion of another and he was so fertile in thought and fluent in expression that the idea uppermost in his brain was apt to burst forth without regard for what else remained behind. As with almost all men of action, the speculation of to-day might supersede that of yesterday only to disappear under that of to-morrow, yet this did not impair his capacity for making a correct decision nor his steadfastness in the execution of a plan. Grant, more reticent and not at all expansive, is not chargeable in the same degree with inconsistency in his written words. He lacked imagination and was not subject to worry. By way of comparing the two, the remark attributed to Sherman is apt as an estimate of their different ways of envisaging a difficult situation: "Grant does not care for what he cannot see the enemy doing and it scares me."<sup>2</sup>

While the army was concentrating at Atlanta, the railway station, machine shops and other buildings of that city useful to the enemy in its military operations were destroyed. The right wing and one corps of the left wing having started the day before, Sherman rode out of Atlanta November 16 with the fourteenth

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<sup>1</sup> Sherman's *Memoirs*, vol. ii. p. 170.

<sup>2</sup> James H. Wilson, *Century Magazine*. Oct. 1885, p. 947; see vol. iii. of this work, p. 597. Napoleon wrote in 1809: "In war you see your own troubles; those of the enemy you cannot see. You must show confidence." — Sloane's *Napoleon*, vol. iii. p. 161.

corps; he had in all 62,000 "able-bodied, experienced soldiers, well armed, well equipped and provided, as far as human foresight could, with all the essentials of life, strength and vigorous action."<sup>1</sup> One of the bands happening to play "John Brown's body lies a-mouldering in the grave," the men sang the well-known song, giving to the chorus "Glory, glory hallelujah, his soul is marching on," a force and spirit full of meaning as their minds reverted to the events which had taken place since that December day in 1859 when he, who was now a saint in their calendar had suffered death on the scaffold.<sup>2</sup> When the march to the sea began, the weather was fine, the air bracing and the movement to the south and east exhilarated the men. Many of the common soldiers called out to their general, "Uncle Billy I guess Grant is waiting for us at Richmond." "There was a 'devil-may-care' feeling pervading officers and men," relates Sherman, "that made me feel the full load of responsibility."<sup>3</sup> The tale of the march is not one of battle and inch-by-inch progress as was the campaign from Chattanooga to Atlanta. "As to the 'lion' in our path," wrote Sherman after he had reached Savannah, "we never met him."<sup>4</sup> "In all our marching through Georgia Hardee [the Confederate commander] has not forced me to use anything but a skirmish line."<sup>5</sup> Officers and men looked upon the march as a "picnic,"<sup>6</sup> "a vast holiday frolic."<sup>7</sup> The burden was on the general in command. He was in the enemy's country; he must keep this large army

<sup>1</sup> Sherman's Memoirs, vol. ii. p. 172.

<sup>2</sup> See vol. ii. of this work, p. 416.

<sup>3</sup> Memoirs, vol. ii. p. 179.

<sup>4</sup> Dec. 23, O. R., vol. xliv. p. 793.

<sup>5</sup> Dec. 16, ibid., p. 728.

<sup>6</sup> Expression used to me by one of the officers.

<sup>7</sup> J. D. Cox, *The March to the Sea*, p. 42. He adds: "In the reunions of the veterans since the war this campaign has always been a romantic dream more than a reality, and no chorus rings out with so joyous a swell as when they join the refrain 'As we were marching through Georgia.'"

supplied. Two critics who have not a high opinion of Sherman's tactics on the battle-field testify to his skill in handling an army on the march and to his foresight and care in providing it with food and munitions of war.<sup>1</sup> When the army set out it had approximately supplies of bread for twenty days, sugar, coffee and salt for forty and about three days' forage in grain; it had also a sufficient quantity of ammunition: all this was carried in 2500 wagons with a team of six mules to each. Drovers of cattle, enough to insure fresh meat for more than a month were part of the commissariat. The ambulances were 600 in number; the artillery had been reduced to 65 guns. Pontoon trains were carried along as the invading host had many rivers to cross. The right wing was composed of the fifteenth and seventeenth corps, the left wing of the fourteenth and twentieth; each corps marched on a separate road. The division of the wagon trains gave each corps about 800 wagons, which occupied on the march five miles or more of road. The artillery and wagons with their advance and rear guards had the right of way the men taking improvised paths at their side. The troops began their daily march at dawn and pitched their camp soon after noon, having covered ordinarily ten to fifteen miles.<sup>2</sup> Milledgeville the capital of the State was reached by the left wing in seven days. This march through the heart of Georgia so alarmed the Confederates lest either Macon or Augusta or both might be attacked that they divided their forces; and, when it finally became clear that Savannah was the place on the sea aimed at, it was impossible for various reasons to concentrate a large number of troops for defence. By December 10 the

<sup>1</sup> Ropes and Henry Stone. Papers of the Milt. Hist. Soc. of Mass., vol. x. pp. 137, 204.

<sup>2</sup> O. R., vol. xliv. pp. 8, 726; Sherman's Memoirs, vol. ii. p. 176 *et seq.*; J. D. Cox, The March to the Sea, p. 24.

enemy was driven within his lines at Savannah, the march of 360 miles was over,<sup>1</sup> and the siege began.<sup>2</sup>

In the special field order of November 9 it was said, "The army will forage liberally on the country during the march."<sup>3</sup> As the State was sparsely settled and the plan of making requisitions on the civil authorities therefore impracticable, this was the only possible mode of supplying the troops. The arrangements for the foraging were made and carried out with military precision. Each brigade sent out a party of about fifty men on foot who would return mounted, driving cattle and mules and hauling wagons or family carriages loaded with fresh mutton, smoked bacon, turkeys, chickens, ducks, corn meal, jugs of molasses and sweet potatoes. As the crop was large, and had just been gathered and laid by for the winter, and as the section had never before been visited by a hostile army, the land was rich in provisions and forage.<sup>4</sup> While Sherman was maturing the plan of his march to the sea, he had written to Halleck: The people of Georgia "don't know what war means but when the rich planters of the Oconee and Savannah see their fences and corn and hogs and sheep vanish before their eyes they will have something more than a mean opinion of the 'Yanks.' Even now our poor mules laugh at the fine corn-fields and our soldiers riot on chestnuts, sweet potatoes, pigs and chickens."<sup>5</sup> While Sherman and his officers laboured sincerely to have the foraging done in

<sup>1</sup> I have taken the distance from the Etowah River (J. D. Cox, *The March to the Sea*, p. 36) about two miles southeast of Cartersville where the communication was broken Nov. 12. For the distance marched from Atlanta to Savannah see O. R., vol. xliv. p. 113.

<sup>2</sup> O. R., vol. xliv. p. 9 *et seq.*; Jones's *Siege of Savannah*, p. 75 *et ante*; J. D. Cox, *The March to the Sea*, p. 52 *et ante*; Sherman's *Memoirs*, vol. ii. p. 183 *et ante*.

<sup>3</sup> O. R., vol. xxxix. part iii. p. 713.

<sup>4</sup> Ibid., vol. xliv. p. 727; Sherman's *Memoirs*, vol. ii. p. 182; J. D. Cox, *The March to the Sea*, p. 38.

<sup>5</sup> Oct. 19, O. R., vol. xxxix. part iii. p. 358.

an orderly way the men were often riotous in seizing food on their own account. The general himself relates this incident which occurred on the march between Atlanta and Milledgeville: "A soldier passed me with a ham on his musket, a jug of sorghum-molasses under his arm and a big piece of honey in his hand, from which he was eating, and, catching my eye he remarked *sotto voce* and carelessly to a comrade 'Forage liberally on the country,' quoting from my general orders." Sherman reproved the man as he did others when similar acts of lawlessness fell under his observation, explaining that "foraging must be limited to the regular parties properly detailed."<sup>1</sup> Full of pride in his soldiers and elated at their manifestations of confidence in him he included in his report after the completion of the march this mild censure: "A little loose in foraging they 'did some things they ought not to have done.'"<sup>2</sup> A spirit of fun pervaded the army which exhibited itself in innocent frolics, typical of which was the meeting of some of the officers in the hall of Representatives at Milledgeville where they constituted themselves the Legislature of the State of Georgia, elected a speaker, and after a formal debate repealed by a fair vote the Ordinance of Secession.<sup>3</sup>

Destruction was a part of the business of the march especially as Lee's army drew its supplies of provisions largely from Georgia. "The State of Georgia alone," said Jefferson Davis in his speech at Augusta, "produces food enough not only for her own people and the army within it but feeds too the Army of Virginia."<sup>4</sup> It became of the utmost importance to sever the railroad communication between the Gulf States and Richmond and to this Sherman gave his personal attention. The

<sup>1</sup> Memoirs, vol. ii. p. 181.

<sup>2</sup> Jan. 1, 1865 to Halleck, O. R., vol. xliv. p. 14.

<sup>3</sup> Sherman's Memoirs, vol. ii. p. 190.

<sup>4</sup> Augusta *Constitutionalist*, Oct. 4.

bridges and trestles were burned, the masonry of the culverts was blown up. In the destruction of the iron rails mechanical skill vied with native ingenuity in doing the most effective work. The chief engineer designed a machine for twisting the rails after heating them in the fires made by burning the ties: this was used by the Michigan and Missouri engineers. But the infantry with the mania for destruction which pervaded the army joined in the work, carrying the rails when they came to a red heat to the nearest trees and twisting them about the trunks or warping them in some fantastic way so that they were useless except for old iron and, even as such in unmanageable shape for working in a mill. About 265 miles of railroad were thus destroyed.<sup>1</sup> This in the heart of Jeff Davis's empire, as Sherman called it,<sup>2</sup> was an almost irreparable damage owing to the scarcity of factories which could make rails for renewals and to the embargo on imports by the blockade of the Southern ports.<sup>3</sup> Stations and machine shops along the lines were burned. Many thousand bales of cotton, and a large number of cotton gins and presses were destroyed.<sup>4</sup> At Milledgeville Sherman reports: "I burned the railroad buildings and the arse-

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<sup>1</sup> O. R., vol. xliv. p. 792. The reports of Howard and Slocum make the amount larger. Howard reported 191 miles destroyed, Slocum, 119, total, 300 miles. — *Ibid.*, pp. 76, 159. <sup>2</sup> *Ibid.*, p. 792.

<sup>3</sup> The Augusta *Chronicle and Sentinel* of Nov. 20 said: "To the Planters of South Carolina and Georgia. The movements of Gen. Sherman necessitate a change of policy with regard to the supplies for Gen. Lee's and Gen. Hardee's departments. The Army of Virginia is temporarily cut off from its source of supply and it behooves the planters of Georgia and South Carolina to bring forward their tithes of corn and forage promptly and without the tedious process of assessment. Corn is especially needed. Let the planters of Georgia and Eastern South Carolina stop all other work and send forward their tithe grain immediately. Evil consequences must ensue if this demand be disregarded and the Government thrown back upon its scanty resources. The noble army of Gen. Lee will suffer seriously if this appeal should not be responded to with alacrity." See a letter from Joseph E. Johnston, Pollard's *Davis*, p. 392.

<sup>4</sup> Slocum's report, O. R., vol. xliv. p. 159.

nals; the state-house and Governor's mansion I left unharmed." The penitentiary had been burned by the convicts before the arrival of the army. At Millen the soldiers by orders applied the torch to "the very handsome depot, railroad hotel and three or four large storehouses."<sup>1</sup> A negro from whom Sherman asked information regarding the operations of the right wing, thus described what he had seen: "First there come along some cavalrymen and they burned the depot; then come along some infantry men and they tore up the track and burned it; and just before I left they set fire to the well."<sup>2</sup> It was the policy of the general to forbear destroying private property but in one important case he deviated from the rule. Stopping for the night at a plantation which he discovered to be Howell Cobb's,<sup>3</sup> he sent word to the corps commander, "spare nothing."<sup>4</sup> In nearly all his despatches after he had reached the sea he gloated over the destruction of property giving Halleck in his report written at Savannah the most emphatic statement of the damage which had been done. "We have consumed the corn and fodder in the region of country thirty miles on either side of a line from Atlanta to Savannah as also the sweet potatoes, cattle, hogs, sheep and poultry, and have carried away more than 10,000 horses and mules as well as a countless number of their slaves. I estimate the damage done to the State of Georgia and its military resources at \$100,000,000; at least \$20,000,000 of which has inured to our advantage and the remainder is simple waste and destruction. This may seem a hard species of warfare but it brings the sad realities of war home to those who have been directly or indi-

<sup>1</sup> O. R., vol. xliv. p. 789.

<sup>2</sup> Sherman's Memoirs, vol. ii. p. 191.

<sup>3</sup> Howell Cobb was Secretary of the Treasury under Buchanan and now a major-general in the Confederate army.

<sup>4</sup> Sherman's Memoirs, vol. ii. p. 185.

rectly instrumental in involving us in its attendant calamities.”<sup>1</sup> Well might he say afterwards, “War is hell.”<sup>2</sup>

Various orders given from time to time show that there was not only lawless foraging but that there was an unwarranted burning of buildings.<sup>3</sup> A more serious charge against the men of this Western army is pillage. Sherman admits the truth of it and so does General Cox.<sup>4</sup> Since the end of the campaign Sherman had heard of jewellery being taken from women and is of the opinion that these depredations were committed by parties of foragers usually called “bummers.”<sup>5</sup> Cox dubs with that name the habitual stragglers to whom he ascribes a large part of the irregular acts.<sup>6</sup> Some of the pilfering was undoubtedly due to the uncontrollable American desire for mementos of places con-

<sup>1</sup> Jan. 1, 1865, O. R., vol. xliv. p. 13. These are undoubtedly exaggerated estimates. The assessed value of real estate and personal property in Georgia in 1860 was \$618,232,387.

<sup>2</sup> Tacitus makes the admirers of Augustus define civil war thus : “arma civilia quæ neque parari possent neque haberi per bonas artes.” — Annalium, Liber I. cap. 9. Thucydides wrote (Jowett, book III. 82) : “In peace and prosperity both states and individuals are actuated by higher motives, because they do not fall under the dominion of imperious necessities ; but war which takes away the comfortable provision of daily life is a hard master and tends to assimilate men’s characters to their conditions.”

<sup>3</sup> O. R., vol. xliv. pp. 482, 483, 489, 493, 498, 503, 599.

<sup>4</sup> Memoirs, vol. ii. p. 182 ; March to the Sea, p. 40.

<sup>5</sup> Memoirs, vol. ii. p. 182.

<sup>6</sup> The March to the Sea, p. 40 ; Nichols, The Story of the Great March, p. 240. Colonel Charles F. Morse said : “The ‘bummers’ were not legitimate foragers, but were stragglers and adventurers, from undisciplined commands and wagon-camps, who were under no control ; *they* undoubtedly did rob and depredate, but fortunately they represented a very small element in this otherwise fine army. They escaped punishment mainly from the fact that they kept entirely away from the line of march and avoided camps. Sherman himself looked on these ‘bummers’ with a lenient eye, as they sometimes brought valuable information, and in their occasional skirmishes with small parties of General Joe Wheeler’s cavalry were usually successful. Some of them were captured, but, on the whole, they displayed marked ability in taking care of themselves.” — Paper read before the Loyal Legion in Boston, Sept. 17, 1900.

nected with great events. Moreover while three and one-half years of civil war had built up an effective fighting machine, they had caused a relaxation in the rules of orderly conduct among its members so that it had come to be considered proper to despoil any one living in the enemy's country; but there was a sincere desire on the part of the commander and his officers to restrain the soldiers within the limits of civilized usage. The lofty personal character of most of the men in high command and the severity of the punishment threatened for breaches of discipline are evidence of this;<sup>1</sup> and at least one soldier was sentenced for a petty theft "to be shot to death by musketry."<sup>2</sup> Nor must it be overlooked that a good deal of plundering was done by bands of Confederates<sup>3</sup> which people were prone to charge against Sherman's men. From this characterization of the Union officers one notable exception must be made. Kilpatrick, the commander of the cavalry, was notorious for his immorality and rapacity, and his escapades winked at by Sherman on account of his military efficiency, were demoralizing to the army at the time and have since tended to give it a bad name. While extenuating nothing it is gratifying to record some words of Sherman which must be read in the light of his honesty of soul and truthfulness of statement. "I never heard," he wrote, "of any case of murder or rape."<sup>4</sup>

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<sup>1</sup> O. R., vol. xliv. pp. 482, 490.

<sup>2</sup> Force's Sherman, p. 255. This sentence was commuted to imprisonment in the Dry Tortugas, Fla., for the rest of the war. The prisoner remained there until May 27, 1865.

<sup>3</sup> O. R., vol. xliv. pp. 706, 998, vol. xlv. part ii. pp. 658, 797; vol. xlix. part i. p. 977; Augusta *Chronicle* and *Sentinel*, Dec. 2; authorities cited by Cox, Appendix C. *The March to the Sea*.

<sup>4</sup> Memoirs, vol. ii. p. 183. Cox's statement is less positive. "Murders, rapes and other heinous personal offences," he wrote, "were nearly unknown." — *March to the Sea*, p. 41. For the period of Sherman's march I have gone over the files of the Augusta (Ga.) *Chronicle* and *Sentinel*, *Charleston Courier*, *Richmond Dispatch*, *Enquirer*, *Examiner* and *Whig*. I have also

The acts of these Western soldiers as I have described them from a collation of the evidence are such as any one who knew them well would expect them to commit. Treating the property of the enemy as proper spoil they respected the women. The reverence of the American soldier for his mother and sisters fostered a sentiment in the rank and file which frowned forbiddingly on the crime of rape.

Sherman's campaign struck a blow at slavery. Everywhere the negroes received the Northern soldiers with joy. Near Covington an old gray-haired negro said to Sherman that he "had been looking for the angel of the Lord ever since he was knee-high" and he supposed that the success of the Northern army would bring him freedom. Another who was spokesman for a large number of fellow-slaves said to an aide-de-camp of the General: "Ise hope de Lord will prosper you Yankees and Mr. Sherman, because I tinks and we all tinks dat you'se

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read a number of issues of the Augusta *Constitutionalist*. I am struck with the absence of particulars in their charges. The allegations for the most part deal with incendiary and plundering. Reference to rape is rare. I will cite three of the most emphatic statements. The first is the only mention I found of outrages on women: "The destruction of public and private property, the plunder and burning of crops, the sacking of private dwellings and the inexplicable and atrocious insults and wrongs offered to the defenceless women of our land." — *Augusta Chronicle and Sentinel*, Dec. 8. "We doubt whether history records any story of wrongs and outrage to surpass that of Sherman's present campaign through the State of Georgia. Its sickening and heartrending details which reach our ears from day to day shake our faith in humanity itself and lead us to believe that the actors in these scenes of violence and crime are transformed into fiends." — *Ibid.*, Dec. 10. "Sherman's army is proving a scourge wherever it goes. No attention is paid by his troops to his general order at the outset of his expedition. Throughout the whole line of march the country is made desolate by pillage and fire." — *Charleston Courier*, Dec. 6. See also *Augusta Chronicle and Sentinel*, Nov. 22; *Charleston Courier*, Dec. 21; *Richmond Enquirer*, Dec. 3, 5; *Examiner*, Dec. 3; Pollard's *Davis*, pp. 399, 400; Jones, *An Address before the Confederate Survivors Association*, Augusta, 1884, p. 13; Jones's *Siege of Savannah*, chap. x.; *Davis's Confederate Government*, vol. ii. p. 570. Sherman wrote, Dec. 13: "The editors in Georgia profess to be indignant at the horrible barbarities of Sherman's army, but I know the people don't want our visit repeated." — *O. R.*, vol. xliv. p. 702.

down here in our interests." At Milledgeville the negroes in their ecstasy shouted "Bress de Lord! tanks be to Almighty God, the Yanks is come! de day ob jubilee hab arribed!"<sup>1</sup> "Negro men, women and children joined the column at every mile of our march," reported General Slocum who commanded the left wing. "I think at least 14,000 of these people joined the two columns at different points on the march, but many of them were too old and infirm and others too young to endure the fatigues of the march and were therefore left in the rear. More than one-half of the above number however reached the coast with us."<sup>2</sup> The desire to realize their freedom at once was keen and the number would have been far greater had not Sherman discouraged the negroes from following the army, as all but the young and able-bodied who were put to use were a serious drawback, increasing the number of mouths to be fed and causing constant apprehension lest they should hamper the movements of the troops in the case that the enemy were encountered in formidable array. But the tidings that President Lincoln had proclaimed them all free was spread far and wide.<sup>3</sup>

The moral effect of the march to the sea was very great. "Sherman's campaign has produced a bad effect on our people," wrote Jefferson Davis. "Success against his future operations is needful to reanimate public confidence."<sup>4</sup> At first popular expectation obtained at the South that the operation was hazardous and that the Union army might be checked or even destroyed.<sup>5</sup> "God

<sup>1</sup> Nichols, *The Story of the Great March*, pp. 56, 60.

<sup>2</sup> O. R., vol. xliv. p. 159. General Howard commanding the right wing reported the estimated number of negroes set free by his forces as 3000, ibid., p. 75.

<sup>3</sup> Ibid., p. 836; vol. xlvi. part ii. p. 36; Sherman's *Memoirs*, vol. ii. pp. 181, 186; Cox, *The March to the Sea*, p. 37; Nichols, *Story of the Great March*, p. 61.

<sup>4</sup> Jan. 12, 1865, O. R., vol. xlv. part ii. p. 778.

<sup>5</sup> *Augusta Chronicle and Sentinel*, Nov. 20, 21, 24, 25; *Richmond Whig*, Nov. 24, 25; *Examiner*, Nov. 14, 23, 26; *Enquirer*, Dec. 7.

has put a hook in Sherman's nose and is leading him to destruction," declared a preacher of Richmond.<sup>1</sup> Those in authority gave confirmation to the illusive hopes of the people. "You can destroy the enemy by retarding his march. Georgians be firm!" was the word Senator B. H. Hill sent from Richmond. "To the People of Georgia" the proclamation of General Beauregard was addressed. "Arise for the defence of your native soil!" he said. "Obstruct and destroy all roads in Sherman's front, flank and rear and his army will soon starve in your midst. Be confident and resolute!" Six members of Congress from Georgia telegraphed from Richmond to the people of their State. "Let every man fly to arms! Remove your negroes, horses, cattle and provisions from Sherman's army and burn what you cannot carry. Burn all bridges and block up the roads in his route. Assail the invader in front, flank and rear by night and by day. Let him have no rest."<sup>2</sup> These frantic appeals only emphasized the powerlessness of the resistance. The Legislature of Georgia ordered a levy *en masse*, and shortly afterwards on the approach of the Northern troops its members fled from Milledgeville in panic.<sup>3</sup> The Union force was underrated; the Confederate means of defence were estimated too high and were so disposed as to be ineffective.<sup>4</sup> While Sherman threatened both Macon and Augusta he attacked neither; at either place he would have met with resistance and delay and he cared little for the capture of such cities. He knew moreover that while marching onward continually he could live upon the country but that he would have difficulty in obtaining supplies for his army during more than a brief halt. Wheeler's cavalry en-

<sup>1</sup> Pollard's Davis, p. 392.

<sup>2</sup> O. R., vol. xliv. pp. 867, 869.

<sup>3</sup> Ibid., p. 870; Cox, *The March to the Sea*, p. 29; *Augusta Chronicle and Sentinel*, Nov. 22; *Charleston Courier*, Nov. 24; *Richmond Dispatch*, Nov. 29.

<sup>4</sup> O. R., vol. xliv. pp. 862, 884, 933; *Richmond Dispatch*, Nov. 19.

deavoured to molest the marching columns but were kept effectually in check by Kilpatrick. The victorious progress of "this modern Attila," as he was called, brought out indications that many people in the South were tired of the war.<sup>1</sup> "People show little spirit," telegraphed from Augusta a general who was labouring to organize the defence of the city.<sup>2</sup>

During the thirty-two days<sup>3</sup> when the world lost sight<sup>4</sup> of Sherman, the only news of him was from Richmond newspapers which came through Grant's lines and other Southern journals, copious extracts from which were printed in the Northern dailies.<sup>5</sup> The President was apprehensive for his safety;<sup>6</sup> and, if Grant's recollection be correct, there was for a time considerable anxiety among people at the North who had husbands, sons or brothers in the invading army.<sup>7</sup> "I never had a doubt of the result," wrote Grant to Sherman. "I assured him [the President] with the army you had and you in command of it, there was no danger but you would strike bottom on salt water some place; that I would not feel the same security — in fact would not have intrusted the expedition to any other living commander."<sup>8</sup> While Howard's brief despatch<sup>9</sup> allayed all

<sup>1</sup> Augusta *Chronicle and Sentinel*, Nov. 14, 23, Dec. 22; Raleigh *Sentinel*, cited *ibid.*, Dec. 23; Cox, *The March to the Sea*, p. 29.

<sup>2</sup> O. R., vol. xliv. p. 884.

<sup>3</sup> *Ante*, p. 15.

<sup>4</sup> Sherman's words, O. R., vol. xxxix. part iii. p. 700.

<sup>5</sup> The New York *Herald* of Nov. 26 has extracts from the Macon *Intelligencer* of Nov. 10, 18; the Augusta *Chronicle and Sentinel*, Nov. 10, 13, 15, 19; Charleston *Courier*, Macon *Telegraph*, Nov. 18; Savannah *News*, Nov. 19, 21; Savannah *Republican*, Nov. 21; Richmond *Enquirer*, Nov. 23; Augusta *Constitutionalist*, Nov. 19; the *Herald* of Nov. 27 cited: Savannah *News, Republican*, Augusta *Chronicle and Sentinel*, Nov. 19; Richmond *Examiner*, *Sentinel*, *Whig*, *Enquirer*, Nov. 24.

<sup>6</sup> O. R., vol. xliv. p. 740.

<sup>7</sup> Personal Memoirs, vol. ii. p. 366; see also Sherman Letters, p. 240.

<sup>8</sup> Dec. 18, O. R., vol. xliv. p. 740.

<sup>9</sup> *Ante*, p. 15, note 7. A despatch similar in import was received by the Navy Department at 10 p.m., Dec. 14, from Dahlgren, Rear-Admiral, New York *Tribune*, *Herald*, Dec. 16.

fears it was nevertheless a source of great satisfaction to receive word from Sherman himself saying that he had carried Fort McAllister by assault and had opened communication with the fleet.<sup>1</sup> Sherman soon afterwards demanded the surrender of Savannah, writing to Hardee the commander that he was prepared to "grant liberal terms to the inhabitants and garrison; but," he continued, "should I be forced to resort to assault and the slower and surer process of starvation, I shall then feel justified in resorting to the harshest measures and shall make little effort to restrain my army — burning to avenge a great national wrong they attach to Savannah and other large cities which have been so prominent in dragging our country into civil war." He enclosed with this communication a copy of Hood's demand for the surrender of Resaca.<sup>2</sup> Hardee in refusing to capitulate made a dignified reply.<sup>3</sup> It is hardly probable that either Hood or Sherman would have carried out their threats; in their eagerness to capture these places they were playing the game of military bluff.

Hardee soon found his position untenable and on the night of December 20 evacuated Savannah.<sup>4</sup> Sherman took possession of the city<sup>5</sup> and sent his celebrated despatch to President Lincoln who received it opportunely on the evening of Christmas Day. "I beg to present you," the general said, "as a Christmas gift the city of Savannah with 150 heavy guns and plenty of ammunition and also about 25,000 bales of cotton."<sup>6</sup>

Lincoln replied: "My dear General Sherman: Many many thanks for your Christmas gift, the capture of Sa-

<sup>1</sup> Dec. 13. Received at Washington, Dec. 18, O. R., vol. xliv. p. 700.

<sup>2</sup> *Ante*, p. 8; O. R., vol. xliv. p. 737.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*, p. 974.

<sup>5</sup> *Ibid.*, p. 776.

<sup>6</sup> Dec. 22, *ibid.*, p. 783. Sherman wrote in a letter Dec. 22, 1886: "I experienced more satisfaction in giving to his [Lincoln's] overburdened and weary soul one gleam of satisfaction and happiness than of selfish pride in an achievement which has given me among men a larger measure of fame than any single act of my life." — *Century Magazine*, July, 1887, p. 464.

vannah. When you were about leaving Atlanta for the Atlantic coast, I was anxious, if not fearful; but feeling that you were the better judge, and remembering that 'nothing risked, nothing gained,' I did not interfere. Now, the undertaking being a success, the honor is all yours; for I believe none of us went further than to acquiesce. And taking the work of General Thomas [the defeat of Hood at Nashville] into the count, as it should be taken, it is indeed a great success. Not only does it afford the obvious and immediate military advantages, but, in showing to the world that your army could be divided, putting the stronger part to an important new service, and yet leaving enough to vanquish the old opposing force of the whole—Hood's army—it brings those who sat in darkness to see a great light.

. . . Please make my grateful acknowledgments to your whole army, officers and men."<sup>1</sup> These generous utterances of Lincoln were very different from Stanton's carping complaint that more had not been accomplished. "It is a sore disappointment," he wrote to Grant, "that Hardee was able to get off his 15,000 from Sherman's 60,000. It looks like protracting the war while their armies continue to escape."<sup>2</sup>

Having spoken freely of the conduct of the Western soldiers on the march a word about their stay in Savannah is necessary to round out this part of the story. "The army continues in the best of health and spirits," wrote Sherman December 31, "and, notwithstanding

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<sup>1</sup> Dec. 26, O. R., vol. xliv. p. 809. Sherman said in his letter to Grant of Nov. 6: "If we can march a well-appointed army right through Davis's territory it is a demonstration to the world, foreign and domestic, that we have a power which Davis cannot resist. This may not be war but rather statesmanship, nevertheless it is overwhelming to my mind that there are thousands of people abroad and in the South who will reason thus: If the North can march an army right through the South it is proof positive that the North can prevail in this contest, leaving only open the question of its willingness to use that power." — Ibid., vol. xxxix. part iii. p. 660.

<sup>2</sup> Ibid., vol. xliv. p. 809.

the habits begotten during our rather vandalic march, its behavior in Savannah has excited the wonder and admiration of all.”<sup>1</sup>

When the balance of probabilities seemed to indicate that Hood would invade Tennessee<sup>2</sup> Sherman, on parting with General Cox whom he was sending northward, said: “If there’s to be any hard fighting you will have it to do.”<sup>3</sup> For this contingency he had provided. Hood had about 41,000 men,<sup>4</sup> his force being only 1000 larger

<sup>1</sup> O. R., vol. xliv. p. 842. See also pp. 812, 817; Dahlgren’s Letter to Welles, Sherman’s Memoirs, vol. ii. p. 261. The women “had been told of my burning and killing until they expected the veriest monster but their eyes were opened when Hardee, G. W. Smith and McLaws, the three chief officers of the rebel army fled across the Savannah River, consigning their families to my special care. There are some very elegant people here, whom I knew in better days and who do not seem ashamed to call on the vandal chief. They regard us just as the Romans did the Goths and the parallel is not unjust. Many of my stalwart men with red beards and huge frames look like giants.”—Jan. 5, 1865. Sherman’s letters to his wife, MS. My authorities for the October campaign and the march to the sea are the correspondence and reports in O. R., vol. xxxix. parts i, ii, iii ; vol. xliv. ; Sherman’s Memoirs, vol. ii. ; Cox’s March to the Sea ; Force’s Life of Sherman ; Hood’s Advance and Retreat ; Taylor’s Destruction and Reconstruction ; Coppée’s Life of Thomas ; Piatt and Boynton’s Life of Thomas ; Boynton’s Sherman’s Historical Raid ; Jones’s Siege of Savannah ; Nichol’s The Story of the Great March ; Schofield’s Forty-six Years ; Ropes, Stone and T. L. Livermore in Papers of the Milt. Hist. Soc. of Mass., vol. x. ; Sherman, Hood and Stone in Century War-book, vol. iv. ; Van Horne’s Army of the Cumberland and Life of Thomas ; Cox’s Review of Hood’s Advance and Retreat, *Nation*, April 1, 1880, Piatt and Boynton’s Thomas, *Nation*, Nov. 9, 1883 ; Davis’s Confederate Government, vol. ii. ; Alfriend’s Life of Davis ; Pollard’s Davis ; Roman’s Beauregard, vol. ii. ; Letters of Charles F. Morse, privately printed ; New York *Herald*, Augusta *Chronicle and Sentinel*, Charleston *Courier*, Richmond *Dispatch*, *Enquirer*, *Examiner*, *Whig*, Nov. 12 to Dec. 26 ; Remarks of Lincoln, Dec. 6, Complete Works, vol. ii. p. 615 ; Sherman’s Letter Dec. 22, 1886, *Century Magazine*, July, 1887, p. 464; Stovall’s Life of Toombs.

<sup>2</sup> Ante, p. 11.

<sup>3</sup> The March to the Sea, p. 21. Schofield wrote to Sherman Dec. 28: “As was predicted you have had the fun and we the hard work.”—Forty-six Years, p. 254.

<sup>4</sup> O. R., vol. xlv. part i. p. 678. The field return of Nov. 6, “present for duty” officers and men is 35,662. Included in this is Jackson’s division of Forrest’s cavalry 2800 strong. Estimating Chalmers’s and Buford’s divisions equally strong, 5600 must be added to 35,662 making 41,262. See O. R., vol. xlv. part i. p. 752 ; Wyeth’s Life of Forrest, p. 535 ; Cox. Battle of Franklin, pp. 9, 208, *Nation*, Nov. 9, 1893, p. 352.

than Sherman had estimated it.<sup>1</sup> Thomas had in Tennessee within easy reach over 60,000 men; after making deductions necessary for the garrisons of important places it is safe to say that enough of these were available by a rapid concentration to give him a force superior to Hood's.<sup>2</sup> Nearly 14,000 "effective men" were on the way to him from Missouri.<sup>3</sup> His losses by soldiers leaving on account of the expiration of their service were nearly made up by the raw recruits he received from the North.<sup>4</sup> The actual figures corroborate the opinions of both Sherman and Thomas, who, on the 11th and 12th days of November, thought that Thomas had an adequate force to cope with the enemy.<sup>5</sup> The result proved it. Moreover Thomas had orders from Sherman to abandon "all minor posts" and unite his men into one army.<sup>6</sup>

The campaign of Franklin and Nashville has given rise to much discussion and, according to the point of view from which it is regarded, special stress is laid upon different features of it. Criticisms of Sherman and Thomas are common. That a portion of the army was at one time in jeopardy and that fortune rather than the wise provision of an adequate force for future con-

<sup>1</sup> Oct. 19, O. R., vol. xxxix. part iii. p. 365; Nov. 1. *ibid.*, p. 576.

<sup>2</sup> The return of Nov. 20 gives "present for duty equipped" 65,501, O. R., vol. xlv. part i. pp. 52, 53, 56, but as a small number was at Louisville I have made the statement in the text. See Cox's Franklin, p. 9; Franklin and Nashville, p. 132. Contrariwise, see Thomas to Grant, O. R., vol. xlv. part i. p. 1034; *do.*, *ibid.*, part ii. p. 17; Thomas to Halleck, *ibid.*, p. 296; Van Horne's Life of Thomas, p. 272.

<sup>3</sup> Rawlins to Thomas, Nov. 7, O. R., vol. xxxix. part iii. p. 684; Van Horne's Thomas, p. 271; Stone in Century War-book, vol. iv. p. 443.

<sup>4</sup> "I have lost nearly 15,000 men discharged by expiration of service, and permitted to go home to vote. My gain is probably 12,000 of perfectly raw troops." — Thomas to Grant, Nov. 25, O. R., vol. xlv. part i. p. 1034. As election day was Nov. 8, those who had gone home to vote ought not to have been included in the return of Nov. 20. The return of Nov. 30 shows a gain of nearly 10,000 over that of Nov. 20. O. R., vol. xlv. part i. p. 54.

<sup>5</sup> *Ante*, p. 13.

<sup>6</sup> Oct. 31, O. R., vol. xxxix. part iii. p. 535, see also pp. 498, 536.

tingencies gave success to the Union army is frequently asserted or intimated. On the other hand it is maintained that whatever risk was run was due to Thomas's tardy concentration of the troops and a lack of energy in the use of the means at hand. Adhering to the plan laid down in the last chapter,<sup>1</sup> I shall consider a discussion in detail of these matters beyond my province, leaving it to the military critics, who have done so much towards the elucidation of the history of our Civil War. For the purposes of general history the view of Sherman in his report of January 1, 1865 may be adopted. Hood, he wrote, "was forced to choose either to pursue me or to act offensively against the other part [of my forces] left in Tennessee. He adopted the latter course; and General Thomas has wisely and well fulfilled his part of the grand scheme in drawing Hood well up into Tennessee until he could concentrate all his own troops and then turn upon Hood, as he has done, and destroy or fatally cripple his army."<sup>2</sup> In this spirit I shall give a brief account of the campaign.

Tempted by the division of the Union army, and aiming to "distract Sherman's advance into Georgia,"<sup>3</sup> Hood, November 21, took the offensive, and began his movement from Florence, Alabama, upon Nashville, thus engaging in an enterprise confessedly full of hazard. On account of the beating which his soldiers had received about Atlanta in July,<sup>4</sup> they had lost whatever confidence they might have originally felt in their commander. When Davis reviewed them at the time of his visit in September some of the brigades seemed inclined to cry out, "Give us General Johnston."<sup>5</sup> General Richard Taylor was convinced that there was dissatisfaction among the troops owing to the removal of Johnston and

<sup>1</sup> Vol. iv. p. 439.

<sup>2</sup> O. R., vol. xliv. p. 18.

<sup>3</sup> *Ibid.*, vol. xlv. part i. p. 1215.

<sup>4</sup> Vol. iv. p. 511.

<sup>5</sup> Hood's Advance and Retreat, p. 253.

their subsequent defeats.<sup>1</sup> When Beauregard visited the army late in October he was chagrined at the outlook and even Hood regarded his project "rather despondingly."<sup>2</sup> Hood was incompetent to command an army but he was full of energy and seemed to carry things well to a certain point when either he himself broke down or else he proved deficient in the quality of infusing confidence and resolution into his subordinates at the crisis when they were needed. During the march the soldiers were delayed by storms of rain, sleet and snow, and as the autumn rains had been heavy, the roads were deep with mud, which rendered difficult the progress of the wagon trains.<sup>3</sup> Many circumstances thus combined to make aggressive operations unfavourable. On the other hand Hood by his alertness had the advantage at the outset of superior numbers. General John M. Schofield was at Pulaski, Tennessee, with a force considerably smaller than that of the Confederates and, being aware of his inferiority in numbers he retreated before Hood through Columbia and across the Duck River. The purport of his instructions from Thomas was that Hood's advance should be retarded as much as possible in order to gain time for the concentration of the Union troops and especially for the arrival of those who were coming from Missouri.<sup>4</sup> Schofield executed a masterly retreat and through strenuous exertion of officers and men arrived in safety at Franklin, his little army having been at no time in peril unless a part of it were jeopardized at Spring Hill. Of this affair he telegraphed to Thomas November 30: "We have suffered no material loss so far. . . . Forrest [the commander

<sup>1</sup> *Destruction and Reconstruction*, p. 204.

<sup>2</sup> Roman's *Beauregard*, vol. ii. p. 293.

<sup>3</sup> Hood's report, O. R., vol. xlv. part i. p. 652; Colonel Capers's report, *ibid.*, p. 730; Cox's *Franklin and Nashville*, pp. 64, 65; Schofield's *Forty-six Years*, p. 167; Stone, *Century War Book*, vol. iv. p. 441.

<sup>4</sup> Thomas's despatches, O. R., vol. xlv. part i. pp. 1085, 1108; Schofield's report, *ibid.*, p. 340; Cox's *Franklin*, p. 21 *et seq.*

of the Confederate cavalry] was all around us yesterday but we brushed him away during the evening and came through. Hood attacked in front and flank but did not hurt us.”<sup>1</sup> Hood however thought that through the neglect of a subordinate he had missed a “golden opportunity” “of dealing the enemy a heavy blow.”<sup>2</sup> Schofield gives a partial confirmation to Hood’s opinion. “I am satisfied,” he telegraphed to Thomas, “that I have heretofore run too much risk in trying to hold Hood in check while so far inferior to him in both infantry and cavalry. The slightest mistake on my part, or failure of a subordinate during the last three days might have proved disastrous. I don’t want to get into so tight a place again; yet I will cheerfully act in accordance with your views of expediency, if you think it important to hold Hood back as long as possible.”<sup>3</sup>

Schofield had 29,234 men;<sup>4</sup> after him in hot pursuit was the Confederate army 41,000 strong.<sup>5</sup> In the saddle all night with his troops retreating from Spring Hill, he reached Franklin somewhat earlier than five o’clock in the morning of November 30, manifestly disturbed at the situation. The Harpeth River was in front, the enemy close behind. “Pale and jaded from the long strain of the forty-eight hours just passed,” as General J. D. Cox relates the story, “he spoke with a deep earnestness of feeling he rarely showed. ‘General,’ he said,

<sup>1</sup> 5.30 A.M., O. R., vol. xlv. part i. p. 1169.

<sup>2</sup> Hood’s reports, ibid., pp. 652, 657; ibid., part ii. pp. 659, 665; Hood’s Advance and Retreat, p. 284; Wyeth’s Life of Forrest, p. 542; Stone, Century War Book, vol. iv. p. 445; Van Horne’s Cumberland, vol. ii. p. 196, Life of Thomas, p. 286. But see Cox’s Franklin and Nashville, p. 79, Battle of Franklin, p. 85; Schofield’s Forty-six Years, pp. 176, 215 *et seq.*; note on p. 432, vol. iv., Century War Book; Cheatham’s paper before the Louisville South. Hist. Soc., South. Hist. Soc. Papers, vol. ix. p. 524.

<sup>3</sup> 12 M. Nov. 30, O. R., vol. xlv. part i. p. 1169.

<sup>4</sup> He had gained troops on the retreat from Pulaski to Franklin.

<sup>5</sup> *Ante.* Cox’s Franklin, p. 208 *et seq.* As to Schofield’s force Thomas L. Livermore is in substantial agreement. See Numbers and Losses in the Civil War, p. 131.

'the pontoons<sup>1</sup> are not here, the county bridge is gone, and the ford is hardly passable. You must take command of the Twenty-third Corps, and put it in a position here to hold Hood back at all hazards till we can get our trains over and fight with the river in front of us,'"<sup>2</sup> But through Hood's impetuosity the fight had to be made with the river back of them. Cox got the army into position, directed the throwing up of the intrenchments, and during the battle commanded the greater portion of the line.<sup>3</sup>

Hood, smarting under his disappointment at the failure to hurt the Union army at Spring Hill, and concerned at the thought that his troops were seemingly unwilling to fight "unless under the protection of breastworks,"<sup>4</sup> now girded himself for a last supreme effort. He was encouraged in this from having detected a change of sentiment in one night among officers and men who, disappointed and mortified at the missed opportunity, seemed possessed of a determination to retrieve the failure of the preceding afternoon.<sup>5</sup> The orders were to drive the Union army into the Harpeth River or across it,<sup>6</sup> and at no time during the war did men fight more bravely and more fiercely than did these Confederates in their desperate frontal attack. The assault began at four o'clock in the afternoon<sup>7</sup> and the Confederates gained at first a temporary advantage but were soon repulsed with terrible slaughter. Their casualties were over six thousand. Five general officers were killed, six wounded and one captured; in addition twenty-three colonels, eleven lieutenant-colonels, ten

<sup>1</sup> Schofield expected to find a bridge train at Franklin. Cox's Franklin, pp. 38, 50; O. R., vol. xlv. part 1. pp. 1107, 1108, 1138; Schofield's Forty-six Years, p. 175.

<sup>2</sup> Cox's Franklin, p. 39.

<sup>3</sup> Schofield's report, O. R., vol. xlv. part i. p. 343; Schofield's Forty-six Years, p. 175.

<sup>4</sup> Advance and Retreat, pp. 290, 297; J. D. Cox in the *Nation*, April 1, 1880, p. 255.

<sup>5</sup> O. R., vol. xlv. part i. p. 653.

<sup>6</sup> Advance and Retreat, p. 292.

<sup>7</sup> Nov. 30.

majors, nine captains were killed, wounded and missing. In at least two brigades a captain was at the close of the battle the ranking officer in command.<sup>1</sup>

The casualties on the Union side were 2326.<sup>2</sup> "Brigadier-General J. D. Cox," wrote Schofield in his report, "deserves a very large share of credit for the brilliant victory at Franklin."<sup>3</sup> At midnight the Union troops withdrew across the river and afterwards under orders from Thomas<sup>4</sup> marched to Nashville. Hood claimed the victory and this claim was for awhile believed by the people of the Southern States.<sup>5</sup>

Hood followed Schofield to Nashville and sat down before the city, with an army now reduced to 26,000,<sup>6</sup> inviting his doom.<sup>7</sup> The reason he continued his ad-

<sup>1</sup> Cox's Franklin, p. 212 *et seq.*; Livermore's Numbers and Losses, p. 132; O. R., vol. xlv. part i. pp. 344, 684-686.

<sup>2</sup> Ibid., p. 343; Cox's Franklin, p. 215; Livermore's Numbers and Losses, p. 131.

<sup>3</sup> O. R., vol. xlv. part i. p. 343. "General Cox displayed wisdom in the formation of the line of battle and the construction of breastworks. . . . Cox was active in rallying the troops that were broken in organization by the first attack of the enemy upon their advanced position . . . and by voice and gallant bearing in the extreme exposure to the terrific fire of the enemy inspirited his men throughout the conflict." — Van Horne's Thomas, pp. 291, 292. See also Battle of Franklin, Thomas Speed's Sketches of War History, vol. iii. p. 44, published by the Ohio Commandery of the Loyal Legion.

<sup>4</sup> O. R., vol. xlv. part i. p. 1171.

<sup>5</sup> Ibid., part ii. p. 628; Richmond *Dispatch*, Dec. 5, *Enquirer*, Dec. 7, *Examiner*, Dec. 8, *Whig*, Dec. 15; Augusta *Chronicle and Sentinel*, Dec. 10, 16.

<sup>6</sup> Return of Dec. 10, O. R., vol. xlv. part i. p. 679, see also p. 765; T. L. Livermore's Numbers and Losses, p. 133; Cox's Franklin, p. 212; Van Horne's Thomas, pp. 316, 317. But see Van Horne, *ibid.*, p. 338; Stone, Century War Book, vol. iv. p. 474. Between Hood's 41,000 at Franklin and 26,000 at Nashville there are 15,000 to be accounted for. Cox estimated Hood's losses at Franklin, 6669, Battle of Franklin, p. 213. Four brigades of infantry and two divisions of cavalry present at Franklin were absent at Nashville. Add a fair estimate of the number of deserters and stragglers and the difference will be accounted for. Van Horne writes, Life of Thomas, p. 319: "Though intrenched, Hood's army grew weaker day by day. It was not well supplied. . . . The dropping of the offensive . . . impaired the *morale* of the Confederate troops."

<sup>7</sup> The words of Van Horne, Life of Thomas, p. 316; see Beauregard's indorsement on Hood's report, O. R., vol. xlv. part i. p. 662.

vance northward, was as he himself stated it in his report of December 11, "to force the enemy to take the initiative."<sup>1</sup> Thomas now had at Nashville 48,000 men.<sup>2</sup>

The interest of the story between December 2 and 15 lies in the correspondence between Washington and City Point, the headquarters of Grant, who, it will be remembered, was the general in command of all the armies of the United States,<sup>3</sup> and between those places and Nashville. "The President," telegraphed Stanton to Grant, "feels solicitous about the disposition of General Thomas to lay in fortifications for an indefinite period 'until Wilson the commander of the cavalry gets equipments.' This looks like the McClellan and Rosecrans strategy of do nothing and let the rebels raid the country. The President wishes you to consider the matter."<sup>4</sup> Grant in two despatches of December 2 urged Thomas to take the offensive; Thomas replied that he would probably be ready to do so in two or three days.<sup>5</sup> December 6 Grant sent the positive order: "Attack Hood at once and wait no longer for a remount of your cavalry. There is great danger of delay resulting in a campaign back to the Ohio River."<sup>6</sup> Thomas answered that he would obey the order though he added, "I believe it will be hazardous with the small force of cavalry now at my service."<sup>7</sup> This brought out a characteristic remark of Stanton: "Thomas seems unwilling to attack because it is hazardous, as if all war

<sup>1</sup> O. R., vol. xlv. part i. p. 658. Beauregard wrote Jan. 9, 1865: "After the great loss of life at Franklin the army was no longer in a condition to make a successful attack on Nashville. . . . From Franklin General Hood should have marched . . . on Murfreesborough which could doubtless have been captured with its garrison of about 8000 men." Ibid., p. 662.

<sup>2</sup> Ibid., pp. 55, 90. T. L. Livermore makes the number 52,234, Numbers and Losses, p. 132; Henry Stone, 43,260, Century War Book, vol. iv. p. 473.

<sup>3</sup> Vol. iv. p. 436.

<sup>4</sup> Dec. 2, O. R., vol. xlv. part ii. p. 15; see Thomas's despatch to Halleck, ibid., p. 3.

<sup>5</sup> Ibid., p. 17.

<sup>6</sup> O. R., vol. xlv. part ii. p. 70.

<sup>7</sup> Ibid.

was anything but hazardous. If he waits for Wilson to get ready, Gabriel will be blowing his last horn."<sup>1</sup>

Up to this time Grant had showed the reasonable feeling of an aggressive general, impatient of delay, in urging his subordinate to take the offensive, and it is undoubtedly true that the Union army might have attacked the Confederates two days after their arrival with a measure of success. It is also true that Thomas overestimated his enemy. Nevertheless he understood the situation better than did Grant. He felt pretty sure, and in this Schofield agreed with him, that Hood would not advance to the Ohio River. There was of course the danger that the Confederates might retreat southward and that he would lose the opportunity of striking them, but this also, to judge from their actual operations, seemed unlikely.<sup>2</sup> Meanwhile he was making his preparations complete with the aim undoubtedly of giving them a crushing blow. From December 8 on, both the substance and the tone of Grant's correspondence are far from commendable; instead of his characteristic magnanimity he displayed the one-sidedness of an unrelenting faultfinder. To Halleck he telegraphed: "If Thomas has not struck yet, he ought to be ordered to hand over his command to Schofield. There is no better man to repel an attack than Thomas but I fear he is too cautious to ever take the initiative."<sup>3</sup> Halleck replied that nobody in Washington wished for the removal of Thomas and if it were made Grant himself must give the order for it.<sup>4</sup> Before doing this he tried a last word. "Why not attack at once?" he asked. "By all means avoid the contingency of a foot-race to see which, you or Hood, can beat to the Ohio."<sup>5</sup> As no attack was made he directed Halleck the next day December 9 to telegraph

<sup>1</sup> To Grant, Dec. 7, O. R., vol. xlv. part ii. p. 84.

<sup>2</sup> Van Horne's Thomas, p. 341; Schofield's Forty-six Years, p. 237.

<sup>3</sup> Dec. 8, O. R., vol. xlv. part ii. p. 96.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid., p. 97.

orders relieving Thomas and placing Schofield in command.<sup>1</sup> Although "cut to the heart" at his contemplated removal,<sup>2</sup> Thomas exhibited great dignity in his correspondence. "I regret," he said in a despatch to Halleck, "that General Grant should feel dissatisfaction at my delay in attacking the enemy. I feel conscious that I have done everything in my power to prepare and that the troops could not have been gotten ready before this, and if he should order me to be relieved I will submit without a murmur. A terrible storm of freezing rain has come on since daylight which will render an attack impossible until it breaks."<sup>3</sup> To this despatch and to a similar one direct to himself, Grant thus replied: "I have as much confidence in your conducting a battle rightly as I have in any other officer; but it has seemed to me that you have been slow, and I have had no explanation of affairs to convince me otherwise." He added that he had suspended the order relieving him from command.<sup>4</sup> Thomas assembled his corps commanders, told them that he was ordered to attack Hood at once or surrender his command and asked their advice. They were unanimous in sustaining him in his determination not to fight until he was fully ready.<sup>5</sup> The evidence of the storm of sleet which was making movements impossible for either Thomas or the enemy was reiterated from various sources, but impatience had made Grant unreasonable. "Let there be no further delay," he telegraphed December 11. "I will obey the order as promptly as possible," Thomas replied. "The whole country is covered with a perfect sheet of ice and sleet and it is with difficulty the troops are able to move about on level ground. It was my intention to attack

<sup>1</sup> O. R., vol. xlv. part ii. pp. 114, 116.

<sup>2</sup> Ibid., p. 561; Stone, Century War Book, vol. iv. p. 454.

<sup>3</sup> 2 P.M. Dec. 9, O. R., vol. xlv. part ii. p. 114.

<sup>4</sup> Ibid., p. 115.

<sup>5</sup> Schofield's Forty-six Years, p. 237; Cox's Franklin and Nashville, p. 105.

Hood as soon as the ice melted and would have done so yesterday had it not been for the storm.”<sup>1</sup> But Grant was not convinced. December 13 he ordered General Logan to proceed to Nashville for the purpose of superseding Thomas in command of the Army of the Cumberland; then his growing anxiety urged him to go thither himself, and he had reached Washington on the way when he received the intelligence that Thomas had made the attack.<sup>2</sup> Grant had been unjust to Thomas, looking only at one side of his character. While he was deliberate unto slowness,<sup>3</sup> he had the situation well in hand after the battle of Franklin, and was admirably fitted to cope with an impetuous general like Hood. This Sherman had divined when placing upon him such a weight of responsibility. Moreover he had the confidence and devotion of his soldiers. In whatever way the circumstances may be regarded there was no justification for superseding him by Schofield or Logan; and the sequel showed that he was abundantly equal to the demands made upon him. It is fitting that he should tell the story. “I attacked the enemy’s left this morning,” he telegraphed December 15, “and drove it from the river below the city, very nearly to the Franklin

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<sup>1</sup> O. R., vol. xlv. part ii. p. 143. Thomas’s despatch is Dec. 11. Cox writes: “The alternation of rain and frost made the hills about Nashville slopes of slippery ice. . . . As Hood’s positions could only be reached by deployed lines advancing over these hills and hollows everybody in Thomas’s army felt the absolute necessity of now waiting a little longer till the ice should thaw.” — Franklin and Nashville, p. 105; see also Rem’nings, vol. ii. p. 352.

<sup>2</sup> O. R., vol. xlv. part ii. p. 171; Schofield’s Forty-six Years, p. 239; Grant’s Personal Memoirs, vol. ii. p. 382; Cox’s Franklin and Nashville, p. 106. Logan went no farther than Louisville where he heard the news of Thomas’s success. O. R., vol. xlv. part ii. p. 230. As a justification of Grant’s anxiety in addition to the circumstances of the case, see Meade’s despatch of Dec. 16, O. R., vol. xlv. part i. p. 212; letter of C. H. Grosvenor, July 12, 1875, printed in Appendix to second edition of Sherman’s Memoirs, vol. ii. p. 471.

<sup>3</sup> On Thomas’s slowness, see correspondence between Grant and Sherman, O. R., vol. xliv. pp. 636, 728, 740. Contrariwise see Stone, Papers of the Milt. Hist. Soc. of Mass., vol. x. p. 195.

pike, a distance about eight miles. . . . The troops behaved splendidly, all taking their share in assaulting and carrying the enemy's breast-works."<sup>1</sup> "The whole command bivouacked in line of battle during the night on the ground occupied at dark."<sup>2</sup> The next day he pressed the enemy "at all points on his line of retreat."<sup>3</sup> The detailed operations of his officers, which he gives succinctly, may be summed up in the words, Hood was discomfited. Up to this time no rout during the war had been so complete. There are no reports of the Confederate dead and wounded but Thomas in the two days captured 4462 prisoners.<sup>4</sup> Hood's army as an organization was substantially destroyed at slight cost to the Union troops, their casualties being only a little over 3000.<sup>5</sup> With the débris Hood commenced his retreat: after him pushed Thomas in vigorous pursuit.

Thomas received warm congratulations from the President, Grant, Sherman, Stanton and Sheridan.<sup>6</sup> Somewhat grudgingly Grant consented that the vacant major-generalship in the regular army be conferred upon Thomas<sup>7</sup> and for a while at least he was satisfied with the pursuit of the Confederates. "You have," he telegraphed, "the congratulations of the public for the energy with which you are pushing Hood."<sup>8</sup> Heretofore, in fact, no chase of a defeated Southern army by Northern soldiers had been so vigorous and effective despite the inclement weather and bad roads.<sup>9</sup> Had it not been for Forrest, who soon joined Hood, the remnant of the Confederate army would have been cap-

<sup>1</sup> O. R., vol. xlv. part ii. p. 194.

<sup>2</sup> Report of Jan. 20, 1865, *ibid.*, part i. p. 39.

<sup>3</sup> *Ibid.*, part ii. p. 210.

<sup>4</sup> *Ibid.*, part i. p. 40.

<sup>5</sup> O. R., vol. xlv. part i. p. 105.

<sup>6</sup> *Ibid.*, part i. p. 50; part ii. pp. 210, 280, 248; vol. xliv. p. 793.

<sup>7</sup> *Ibid.*, vol. xlv. part ii. pp. 205, 283, 318.

<sup>8</sup> *Ibid.*, p. 307.

<sup>9</sup> *Ibid.*, pp. 295, 312; Schofield's *Forty-six Years*, p. 249; Nicolay and Hay, vol. x. p. 34; Wyeth's *Forrest*, p. 564.

tured and indeed it was only with great difficulty that it was preserved from this fate. "The army of Tennessee [Hood's]," wrote Forrest, "was badly defeated and is greatly demoralized, and to save it during the retreat from Nashville I was compelled almost to sacrifice my command."<sup>1</sup> December 27 the Confederates crossed the Tennessee and the pursuit stopped but they numbered less than 15,000 infantry and had lost all coherence and *morale*.<sup>2</sup> "Hood's army," wrote John Forsyth to Bragg, "is not worth the value of a regiment if that officer is retained in command. . . . It is a shattered débris of an army now and needs careful yet vigorous handling to hold it together."<sup>3</sup> Hood was relieved at his own request.<sup>4</sup>

When in the spring of 1864 Grant took command of all of the armies of the United States the two salient features of his plan were the destruction or capture of Lee's army and the crushing of the Confederate force in the Southwest.<sup>5</sup> Before the close of the year one-half of the work had been accomplished. Hood's army was disintegrated. Not all, to be sure, of that compact and well-disciplined force of 53,000<sup>6</sup> with which Johnston had begun to resist the advance of Sherman in May had been killed, wounded or made prisoners, but by casualties, desertions, and forced furloughs,<sup>7</sup> practically none of it was left as a fighting

<sup>1</sup> Jan. 2, 1865, O. R., vol. xlv. part ii. p. 756; Wyeth's Forrest, p. 567.

<sup>2</sup> O. R., vol. xlv. part i. p. 50; part ii. pp. 780, 784, 785, 789. But the return of Jan. 20, 1865 gave 18,708 infantry and artillery, *ibid.*, part i. p. 664; also Hood's Advance and Retreat, p. 308. Contrariwise Freeman, Acting Assistant Inspector-General wrote Jan. 10, 1865: "The whole army cannot muster 5000 effective men. Great numbers are going home every day, many nevermore to return I fear. Nine-tenths of the men and line officers are barefooted and naked." — O. R., vol. xlv. part ii. p. 775.

<sup>3</sup> Jan. 17, 1865, O. R., vol. lii. part ii. p. 808.

<sup>4</sup> *Ibid.*, vol. xlv. part ii. p. 805.

<sup>5</sup> Vol. iv. p. 440.

<sup>6</sup> *Ibid.*, p. 449.

<sup>7</sup> O. R., vol. xlv. part ii. pp. 757, 758, 770, 772, 775; Hood's Advance and Retreat, p. 307.

force. As a body it is no longer known in the annals of the war, but two detachments of it appear to recall to us its wrecked fortunes. Nine thousand of these discouraged and partially equipped soldiers turned up under Johnston in North Carolina<sup>1</sup> and 1692 went to Mobile.<sup>2</sup>

Jefferson Davis had unwittingly helped to bring about the destruction of the Confederate force in the Southwest by removing Joseph E. Johnston in favour of Hood. Sherman began the ruin of Hood's army about Atlanta, Schofield gave it a severe blow at Franklin and Thomas completed the work at Nashville. There was good generalship; there were brave, devoted and energetic officers and men. Of course Sherman's successful march to the sea would have been wormwood to the North without Thomas's victory at Nashville; but the two together were an important part of the grand scheme which broke down the military resistance of the South. The great achievement, the capture of Lee's army, still remained. While the people were rejoicing in the merriest season of the year over the success of Sherman and of Thomas, the President, Grant and Sherman were cogitating the plan which should end the Civil War.<sup>3</sup>

Before proceeding to the political history which should follow these campaigns it will be worth while to men-

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<sup>1</sup> In February and March, 1865, *Reminiscences*, Cox, vol. ii. p. 423, note 4; p. 425, note 5, with his references to O. R. But see also O. R., vol. xlvi. part i. pp. 1050, 1053, 1054, 1058; *Johnston's Narrative*, p. 372. Johnston put the available forces of the Army of Tennessee at about 5000.

<sup>2</sup> Cockrell's brigade, O. R., vol. xlvi. part i. p. 1045. Hood says 4000. *Advance and Retreat*, p. 309.

<sup>3</sup> My authorities for the campaign of Franklin and Nashville are the reports of Thomas, Schofield, Cox, Stanley, Wood, Hood, Beauregard, Forrest, Capers; *Journals* of Cox, Fullerton, and Army of Tennessee; O. R., vol. xlvi. part i; the correspondence, *ibid.*, and in part ii; most of the works mentioned, note 1, p. 31; Wyeth's *Life of Forrest*; Cox's *Franklin and Nashville, Review of Van Horne's Thomas*, *Nation*, Oct. 19, 1882; Paper of E. A. Otis on the Nashville campaign, pamphlet.

tion an instance of the magnanimity of Lincoln in a personal matter affording a view of the inner working of his spirit, worthy of consideration as throwing light upon his conduct of public affairs. Chief Justice Taney, who was best known for having given the pro-slavery opinion in the Dred-Scott case<sup>1</sup> and who since the war had stood as a judicial protest against the extraordinary actions of the President,<sup>2</sup> died in October. Many good lawyers with political and personal qualifications aspired to this position on account of its dignity and honour and their causes were severally urged by their friends but pre-eminent above them all stood Chase who desired it rather than any other office,<sup>3</sup> excepting of course the presidency. His wishes were known to Lincoln who had promised Sumner in the spring to tender the place to Chase when the vacancy occurred. Between this promise and the death of Taney came their rupture ending in the resignation of the Secretary,<sup>4</sup> who was now in the unhappy state of a public man without a position but with a following. It was within the possibilities that his political career might be ended and it is undeniable that in a measure the President held in his own hands the power of bringing this about by appointing some of the other claimants to the chief justiceship. It was of course well understood that Chase desired the honour. A certain pressure now brought to bear upon Lincoln is evidenced by the words he used in conversation with Judge E. R. Hoar and Richard H. Dana when they went to see him in November, 1864 after his re-election. They told him what kind of man they thought ought to be Chief Justice but, they added, if he had determined as the rumour said to appoint Chase, they would not proceed to suggest men who in their opinion would admirably fill the place. Lincoln

<sup>1</sup> See vol. ii. p. 250.

<sup>2</sup> Hart's Chase, p. 319.

<sup>3</sup> Tyler's Taney, p. 420 *et seq.*

<sup>4</sup> See vol. iv. p. 475.

replied: "Mr. Chase is a very able man. He is a very ambitious man and I think on the subject of the presidency a little insane. He has not always behaved very well lately and people say to me—'now is the time to *crush him out.*' Well I'm not in favor of crushing anybody out! If there is anything that a man can do and do it well, I say let him do it. Give him a chance."<sup>1</sup> "Of all the great men I have known," Lincoln had said, "Chase is equal to about one and a half of the best of them":<sup>2</sup> and this thought overweighed the memory of their personal troubles and of Chase's supercilious criticism.<sup>3</sup> The hesitation of the President came from the fear that his restless desire for the presidency<sup>4</sup> might prevent his making a dignified judge. But December 6 he sent this word to the Senate: "I nominate Salmon P. Chase of Ohio to be Chief Justice of the Supreme Court of the United States."<sup>5</sup> Chase wrote: "Before I sleep I must thank you for this mark of your confidence and especially for the manner in which the nomination was made. I will never forget either and trust you will never regret either. Be assured that I prize your confidence and good will more than nomination to office."<sup>6</sup>

December 6 the President sent his message to Congress. With a natural elation at the successful progress of the war and the sustainment of the government by the people in the national election<sup>7</sup> he was full of what was needed in the future. Arms must further prevail; laws must fix the accomplishment of arms. He marked

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<sup>1</sup> Conversation with E. R. Hoar at Concord, Feb. 7, 1894, afterwards reduced to writing by him at my request.

<sup>2</sup> Schuckers, p. 488.

<sup>3</sup> See vol. iv. pp. 210, 477, 527, note 3.

<sup>4</sup> Warden, p. 630; Nicolay and Hay, vol. ix. p. 394; Riddle's Recollections, p. 312.

<sup>5</sup> Lincoln, Complete Works, vol. ii. p. 616.

<sup>6</sup> Schuckers, p. 513. "The Senate at once without a reference unanimously confirmed the nomination."

<sup>7</sup> See vol. iv. p. 538

the legal steps which he had so much at heart. "Important movements," he wrote, "have occurred during the year to the effect of moulding society for durability in the Union. Although short of a complete success, it is much in the right direction that 12,000 citizens in each of the States of Arkansas and Louisiana have organized loyal State governments with free constitutions and are earnestly struggling to maintain and administer them.<sup>1</sup> The movements in the same direction, more extensive though less definite, in Missouri, Kentucky and Tennessee should not be overlooked. But Maryland presents the example of complete success. Maryland is secure to liberty and Union for all the future. The genius of rebellion will no more claim Maryland. Like another foul spirit being driven out, it may seek to tear her, but it will woo her no more."<sup>2</sup> As affairs resulted, there was no accomplished fact save in Maryland. In that State the action had the semblance of regularity. An act of legislature determined that in the spring of 1864 there should be a popular vote on the question whether a convention should be held and at the same time delegates thereto should be chosen. The tests of loyalty of voters and candidates were severe but, taking into account the stress of the time and the issue at stake, were proper; yet when judges of elections were empowered to pass upon the question whether desiring voters had since the commencement of the war given aid, comfort or encouragement either directly or indirectly to the "existing rebellion" it is not surprising that those in opposition thought the election "a farce."<sup>3</sup> There was indirect pressure from

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<sup>1</sup> 11,411 in Louisiana, vote in 1860, 50,690; 12,430 in Arkansas, vote in 1860, 54,053. Nicolay and Hay, vol. viii.; Stanwood's History of the Presidency.

<sup>2</sup> Complete Works, vol. ii. p. 612. For what had been done in Arkansas, Louisiana, Tennessee, Missouri, see Nicolay and Hay, vol. viii.; Appleton's Annual Cyclopædia, 1864.

<sup>3</sup> New York *World*, April 7.

the President and more direct action on the part of the general of the department. Nevertheless, all things considered few radical reforms have made their way with less harm to private rights than this emancipation movement in Maryland. There was a majority of 12,000 for the convention. The convention adopted a constitution abolishing slavery without compensation to the owners of the slaves. This was submitted to the people at the October election after an animated canvass in which the most important document was an earnest letter from President Lincoln. The vote in October was larger than that in the spring and the majority for the Constitution which carried with it the abolition of slavery was 375; moreover this majority was secured only by allowing Maryland soldiers outside the state to vote.<sup>1</sup>

The matter which the President had most at heart was the adoption of a constitutional amendment abolishing slavery in the United States forever. The reader will call to mind that though such an amendment had passed the Senate at the previous session it had failed to secure the requisite two-thirds vote in the House.<sup>2</sup> It was still the same House of Representatives, but the President pointed out that the voice of the people as exhibited in the national election was for the amendment<sup>3</sup> and that the House which should come into being March 4, 1865 would certainly pass it: therefore as it is certain to go to the States for their action "may we

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<sup>1</sup> The total vote on the convention was 51,117; majority, 12,069. The total vote on the Constitution was 59,973; majority, 375. These figures are from the History of Maryland, Scharf, chap. xlvi. This is my principal authority. The total vote of Maryland in 1860, in which Stanwood and the *Tribune Almanac* agree, was 92,502. My other authorities are Nicolay and Hay, vol. viii. chap. xix.; Appleton's Annual Cyclopædia, 1864; Debate in the Senate, April 4, *Globe*, p. 1405; Reverdy Johnson in Senate, Feb. 25, 1865, *Globe*, p. 1097; *Tribune Almanac*.

<sup>2</sup> See vol. iv. p. 474.

<sup>3</sup> *Ibid.*, p. 538.

not agree that the sooner the better." He recommended the reconsideration and passage of the amendment.<sup>1</sup> January 6, 1865 Representative James M. Ashley of Ohio called it up. It was debated from time to time. The remarks of two Democrats who voted against it are significant as showing the status of slavery in January, 1865. "The fate of slavery is sealed," said Holman of Indiana. "It dies by the rebellious hands of its votaries untouched by the law. Its fate is determined by the war, by the measures of the war, by the results of the war. . . . Therefore I oppose the amendment."<sup>2</sup> "So far as the Union slaveholding States are concerned," declared Samuel S. Cox of Ohio, January 12, "they are rendering this amendment useless. Missouri yesterday almost unanimously voted to abolish slavery.<sup>3</sup> Maryland has already done it whether by force or freedom it is not now my purpose to inquire. Kentucky will be enforced to do the same.<sup>4</sup> What remains? Little Delaware. She had in 1860 eighteen hundred slaves and the enlisting agents have mostly sold them out to this humanitarian government for soldiers costing \$150 apiece in Delaware and selling for \$1000 in New York! Surely Delaware will soon be free."<sup>5</sup> The interest in the debate is trivial compared

<sup>1</sup> Complete Works, vol. ii. p. 613.

<sup>2</sup> *Globe*, p. 219.

<sup>3</sup> The Constitutional Convention of Missouri abolished slavery Jan. 11, 1865, by a vote of 60 to 4, Journal of the Missouri State Convention held at St. Louis, Jan. 6 to April 10, 1865, pp. 25, 26, 29. While this convention adopted a new constitution which was later submitted to a popular vote, the ordinance abolishing slavery was at once put in force by a solemn proclamation of the governor.

<sup>4</sup> James Guthrie wrote Cox that although Kentucky did not wish to abolish slavery herself, she would be glad to have the ship clear of the wreck.—Three Decades, p. 328. Speaking of Kentucky, Shaler writes that by the adoption of the Thirteenth Amendment by the requisite number of States "slavery quietly lost its legal position though its life had been practically extinguished by the events of the war."—Kentucky, p. 360. See History of Kentucky, Collins, pp. 155, 161, 165, 170. Appleton's Annual Cyclopædia, 1865, p. 462 *et seq.*

<sup>5</sup> *Globe*, p. 242.

with the actual vote taken January 31 in a House of Representatives composed of 94 Republicans, 64 Democrats and 25 border slave State Union men,<sup>1</sup> when, be it remembered, a two-thirds vote was necessary to carry the amendment. One hundred and nineteen voted for it, 56 against it; 8 did not vote. Thirteen border slave State men and 11 Democrats from the free States were among the yeas. The 8 abstinent were Democrats. Many of the Democrats acted according to their real convictions; others were won over through the process of log-rolling. Money could probably have been raised for an attempt to buy up the wavering members but it is doubtful whether any was used for this purpose.

When the Speaker announced that the constitutional majority of two-thirds had voted in the affirmative there was great enthusiasm. "In honor of the immortal and sublime event," the House adjourned.<sup>2</sup> This amendment which is now known as the Thirteenth, was in due time ratified by three-fourths of the States. To contrast the amendment which Congress intended in March, 1861 to have numbered xiii with the existing addition to our organic act is to comprehend the mighty revolution of four years. That of 1861 reads thus: "No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere within any State with the domestic institutions thereof including that of persons held to labor or service by the laws of said State." That of 1865 which is a part of our Constitution: "Neither slavery nor involuntary servitude . . . shall exist within the United States or any place subject to their jurisdiction."<sup>3</sup>

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<sup>1</sup> I follow James M. Ashley's classification; that of the *Tribune Almanac* is 103 Unionists, 80 Democrats.

<sup>2</sup> *Globe*, p. 531.

<sup>3</sup> My authorities for this account are Nicolay and Hay, vol. x. chap. iv.; *Congressional Globe*; Appleton's Annual Cyclopaedia, 1865; Address by

The counting of the electoral vote for President and Vice-President is of interest inasmuch as the votes of Louisiana and Tennessee were not counted. The Vice-President, the presiding officer of the joint convention of the two houses of Congress, had in his possession returns from each of these States but in obedience to a joint resolution of Congress which at the latest possible moment had received the approval of the President,<sup>1</sup> he held it to be his duty not to present these returns to the convention. This resolution declared that the votes of none of the States (specifying each by name) which had "rebelled against the government of the United States," should be counted for President and Vice-President.<sup>2</sup>

In a more direct manner the subject of the Reconstruction of the Union came up in Congress. The House floundered helplessly in the meshes of this problem until Ashley, who had charge of the matter, confessed that "the majority of this House are utterly unable to agree"; therefore he said, "it is very clear to my mind that no bill providing for the reorganization of loyal State governments in the rebel States can pass this Congress."<sup>3</sup> The proceedings in the Senate were more

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James M. Ashley, in Toledo, 1891, pamphlet; S. S. Cox, *Three Decades*, p. 320 *et seq.*; Julian's *Political Recollections*, p. 250; Pierce's *Sumner*, vol. iv, pp. 184, 211; C. A. Dana's *Lincoln and His Cabinet*, p. 54; Bancroft's *Seward*, vol. ii, p. 452; Dunning's *Essays on the Civil War*, p. 82. My correspondence in August, 1897, with Charles S. Ashley, a son of James M. Ashley, has been helpful to me in making this relation.

<sup>1</sup> See his message, Feb. 8, *Globe*, p. 711.

<sup>2</sup> *Globe*, p. 668.

<sup>3</sup> Feb. 21, *Globe*, p. 969. See references in *Globe* index under "Rebellious States," "bill to guaranty to certain States, whose governments have been usurped or overthrown, a republican form of government." Henry Winter Davis said in the debate: "Sir, when I came into Congress ten years ago this was a Government of law. I have lived to see it a Government of personal will. Congress has dwindled from a power to dictate law and the policy of the Government to a commission to audit accounts and to appropriate moneys to enable the Executive to execute his will and not ours."—*Globe*, p. 970. General J. D. Cox wrote me under date of Jan. 16, 1893: "In the first days of February, 1865, I passed through Washington and Garfield invited me to meet Schenck and Winter Davis at dinner at Welcker's restau-

important; for in this body the ideas of the President were brought into opposition with those of the radical Republicans who were best represented by Sumner. The differences came to a head in the case of Louisiana.

Under the guidance of the President, General Banks, the commander of the department, had ordered an election of State officers in Louisiana to take place February 22, 1864. Within the lines of the army were about one-third of the area of the State and two-fifths of its voters according to the distribution of 1860, and, in Banks's opinion, two-thirds of the present population. Eleven thousand, four hundred and eleven votes of white men were polled, being more than one-fifth of the vote in 1860:<sup>1</sup> every voter had taken the oath required by the President.<sup>2</sup> Hahn, the governor-elect was "invested with the powers exercised hitherto by the military governor."<sup>3</sup> Delegates to a constitutional convention were subsequently chosen and April 6, 1864 they met in New Orleans.<sup>4</sup> A reading of the debates of this body will give one the impression that they were the work of a

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rant. The berating of Lincoln by the two last named, was something to take one's breath away. Garfield laughed at it and at them as if it were a kind of conversational pyrotechnics but I was utterly dismayed. It was just about the time Mr. Lincoln went to Fortress Monroe to meet Judge Campbell and Alexander Stephens [the Hampton Roads Conference, to be related later] and he was charged with all the folly, stupidity and semi-treason that could be imagined with respect to that matter." See Cox's Reminiscences, vol. ii. p. 396. In making this reference to General Cox, the first since his death in August, 1900, I must acknowledge the deep obligation which I am under to him for assistance in this work. Always ready to discuss military affairs with me in person or by letter he has saved me from a number of errors; and his learning which he imparted generously to me has perhaps at times concealed my deficiency in knowledge of the art of war. He was the best of critics and his intelligence was varied and wide. His death and that of John C. Ropes nine months earlier are irreparable losses in the field of American military history. They were both able military critics and they knew their Official Records.

<sup>1</sup> *Ante*, p. 47, note 1.

<sup>2</sup> See vol. iv. p. 484.

<sup>3</sup> Lincoln to Hahn, March 15, 1864, Complete Works, vol. ii. p. 498.

<sup>4</sup> Ninety-four were reported duly elected. Debates in the Convention of Louisiana, New Orleans, 1864, p. 5.

fair set of men. The proceedings were orderly, and, while not on so high a level of political training as would have been reached in Massachusetts or Ohio, they reveal the characteristics of government by discussion, of consideration for the views of the minority, but withal of a constant purpose in view. In short the delegates had the political education which teaches men how to constitute a State. By a vote of 72 to 13 they abolished slavery forever.<sup>1</sup> While they restricted suffrage to the white males they empowered the legislature to confer it on coloured men according to the principles laid down by Lincoln.<sup>2</sup> The Constitution was adopted by 66 to 16<sup>3</sup> but unfortunately in the ratification of it by the people only a total of 8400 votes were cast, which was a significant falling off from the vote at the election of State officers.<sup>4</sup> Nevertheless Lincoln was sound when he wrote: "A very fair proportion of the people of Louisiana have inaugurated a new State government, making an excellent new Constitution—better for the poor black man than we have in Illinois. This was done under military protection, directed by me, in the belief, still sincerely entertained, that with such a nucleus around which to build we could get the State into position again sooner than otherwise."<sup>5</sup>

The case came up in the Senate on a report, by the chairman of the Committee on the Judiciary, Trumbull, of a joint resolution recognizing this government of Louisiana as the "legitimate government" of the State.<sup>6</sup> Debate began February 24 when it appeared that the resolution was opposed by most of the Democrats and

<sup>1</sup> Debates, p. 224. This was without any compensation to the owners of the slaves.

<sup>2</sup> Art. 15. Debates, p. 633. See vol. iv. p. 485.      <sup>3</sup> Debates, p. 607.

<sup>4</sup> For a plausible explanation of this see Banks's suggestion to the Judiciary Committee of the Senate, Senate Doc. 9, 38th Cong., 2d Sess., p. 4. For Lincoln's indorsement of Banks's statements, see letter to Trumbull, Complete Works, vol. ii. p. 625.

<sup>5</sup> Nov. 14, 1864, Complete Works, vol. ii. p. 597.

<sup>6</sup> *Globe*, p. 1011.

by five radical Republicans under the lead of Sumner. There was a clear majority for the resolution which would undoubtedly have passed the Senate (and probably the House<sup>1</sup>) had it not been fought by the senator from Massachusetts. He said: "I shall regard its passage as a national calamity,"<sup>2</sup> and with that view he made "dilatory motions" to prevent a vote from being taken. Trumbull declared that he manifested a determination "to browbeat the Senate." Sumner disclaimed any attempt at "browbeating" and thus stated his position: "The question between the senator from Illinois [Trumbull] and myself is simply this: he wishes to pass the measure and I do not wish to pass it. He thinks the measure innocent; I think it dangerous; and thinking it dangerous, I am justified in opposing it, and justified too in employing all the instruments that I can find in the arsenal of parliamentary warfare."<sup>3</sup> In the

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<sup>1</sup> Trumbull's opinion, *Globe*, p. 1111.

<sup>2</sup> Feb. 25, *Globe*, p. 1107.

<sup>3</sup> Ibid., p. 1108. Wade was bitter toward the President. He said, Feb. 27: "When the foundation of this government is sought to be swept away by executive usurpation, it will not do to turn around to me and say that this comes from a President whom I helped to elect, or that the measure is supported generally by my own party. . . . If the President of the United States, operating through his major-generals can initiate a State government, and can bring it here and force us, compel us, to receive as associates on this floor these mere mockeries, these men of straw who represent nobody, your Republic is at an end. . . . Talk not to me of your ten per cent principle. A more absurd, monarchical, and anti-American principle was never announced on God's earth." — Ibid., p. 1128. Samuel Bowles wrote, March 12: "Sumner's behavior in preventing a vote on the Louisiana question was perfectly unjustifiable. I shall henceforth be intolerant of him always. It was undignified, disgraceful." — Life of Bowles, Merriam, vol. i. p. 419. Richard H. Dana wrote Charles Francis Adams, March 3: "In our affairs, if you read the 'Daily Globe' you will see that Sumner has been acting like a madman in the Louisiana question. I do not mean in voting against the acknowledgment of the State government nor even in the extreme course he took in defeating the majority by resort to delays, — for that may be necessary and permissible in extreme cases, but in the positions he took, the arguments he advanced and the language he used to the twenty out of twenty-five Republican senators who differed from him." — Life of Dana, Adams, vol. ii. p. 276.

end Sumner was victorious. The session was to expire by law March 4 and after a third day's debate, it became clear that no vote could be secured in the face of Sumner's persistent opposition and the resolution was laid aside. Had this passed a similar resolution in regard to Arkansas, where reconstruction had gone on in much the same manner, would have received the approval of the Senate.

The importance of this debate lies in the opposition of Sumner to a plan matured by Lincoln. The two most influential men in public life were at variance. In 1861 they shared with Seward and Chase the position of leaders of the Republican party but Seward and Chase had lost ground in the estimation of men, while Lincoln had gained immensely in power and Sumner had at least held his own, having still the backing of a widespread, intelligent and moral opinion. The main difference between the President and the Senator lay in the Senator's insistence that the suffrage should be conferred upon the negroes on the same conditions as on the whites before the States should be received back into the Union ; but he also maintained that instead of the President's doing the work of reconstruction by military order, Congress should do it by law. It is probable though that if the two could have come to an agreement on the negro they would have worked otherwise in harmony. One cannot ignore the objections to the President's plan which were well brought out in the debate in the Senate, yet all things considered it was, under the conditions, the best plan that had been proposed. In all the steps which Lincoln took there was an Anglo-Saxon adaptation of the means at hand ; the process was tentative. A wise executive could modify his plan according to circumstances<sup>1</sup> and therefore could carry

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<sup>1</sup> Lincoln wrote Dec. 15, 1863 : "I have not put forth the plan in that proclamation [Dec. 8, 1863], as a Procrustean bed to which exact conformity is to be indispensable." — Complete Works, vol. ii. p. 459.

out the work as long as a state of war existed better than if he were hampered by a cast-iron rule of Congress. For such an affair of state-craft Lincoln by his training and experience was especially fitted; his action seems to show the practical wisdom of the Anglo-Saxon<sup>1</sup> while Sumner's opposition smacked of the logic of the French. I shall later in the course of this work discuss the question of negro suffrage. Suffice it to say here that the statement of Reverdy Johnson in the debate in the Senate cannot be gainsaid: "The negro population of Louisiana," he declared, are "lost in ignorance [and] divested more or less of moral sense because of the horrid condition in which they have been kept, knowing not what the laws of God require."<sup>2</sup> Sumner believed that Congress should impose negro suffrage on the States which had seceded as a condition precedent to the renewal of their statehood. Lincoln was in favour of bringing a moral pressure to bear on the reconstructed State governments to induce them to give the right of voting to the "very intelligent" coloured people and to those who had "fought gallantly in our ranks."<sup>3</sup>

The difference in opinion on this question caused no change in the personal relations between the President and Sumner. Lincoln was magnanimous and while further reflection strengthened him in his present purpose, "he bestowed, in the few weeks of life which

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<sup>1</sup> Lincoln had the support of Trumbull and Reverdy Johnson (a Democrat), two of the best lawyers in the Senate.      <sup>2</sup> Feb. 25, *Globe*, p. 1097.

<sup>3</sup> Vol. iv. p. 485. For General Banks's opinion on negro suffrage, see Appleton's Annual Cyclopædia, 1864, p. 479. My authorities for this account are Lincoln, Complete Works, vol. ii.; Nicolay and Hay, vol. viii. chap. xvii.; vol. ix. chap. xix.; Banks's suggestions, Remonstrances of citizens of Louisiana against the recognition of the government formed on the plan of the President and General Banks, Sen. Docs. 2, 9, 38th Cong. 2d Sess.; Debates in the Convention of Louisiana; Debate in the House, Feb. 21, Debates in the Senate, Feb. 24, 25, 27, *Globe*; Sumner's Works, vol. ix. p. 311, section which Sumner entitled "No Reconstruction without the Votes of the Blacks"; Pierce's Sumner, vol. iv. p. 221 *et seq.*; Storey's Sumner, p. 282 *et seq.*; Appleton's Annual Cyclopædia, 1864.

remained to him, more tokens of good will on Sumner than on any senator.”<sup>1</sup> To show the public in Washington that there was no quarrel between the two he invited Sumner to accompany him to the inaugural ball and first among the honoured guests who entered the ball-room together, following the President and the Speaker of the House<sup>2</sup> was the senator from Massachusetts with Mrs. Lincoln.<sup>3</sup>

Conscious of the yearning of the Northern people for peace, Lincoln, in his annual message of December 6, 1864, showed that he comprehended the situation; he described it accurately and made known to the North and to the South the only way in which the war could be brought to an end. He wrote: “On careful consideration of all the evidence accessible it seems to me that no attempt at negotiation with the insurgent leader could result in any good. He would accept nothing short of severance of the Union—precisely what we will not and cannot give. His declarations to this effect are explicit and oft repeated. . . . He cannot voluntarily reaccept the Union; we cannot voluntarily yield it. Between him and us the issue is distinct, simple and inflexible. It is an issue which can only be tried by war and decided by victory. If we yield, we are beaten; if the Southern people fail him, he is beaten. . . . What is true, however, of him who heads the insurgent cause, is not necessarily true of those who follow. . . . They can at any moment have peace simply by laying down their arms and submitting to the national authority under the Constitution. . . . If questions should remain, we would adjust them by the peaceful means

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<sup>1</sup> Pierce’s Sumner, vol. iv. p. 228.

<sup>2</sup> Colfax, Speaker of the House just adjourned and also of the next House.

<sup>3</sup> Pierce’s Sumner, vol. iv. p. 230; Life of Bowles, Merriam, p. 419, note; Schurz’s oration, Life of Sumner, Lester, p. 645. The invitation wholly in Lincoln’s handwriting is in the Harvard Library having been presented to it by Mr. Pierce,

of legislation, conference, courts and votes, operating only in constitutional and lawful channels. . . .

"In presenting the abandonment of armed resistance to the national authority on the part of the insurgents as the only indispensable condition to ending the war on the part of the government, I retract nothing heretofore said as to slavery. I repeat the declaration made a year ago, that 'while I remain in my present position I shall not attempt to retract or modify the Emancipation Proclamation, nor shall I return to slavery any person who is free by the terms of that proclamation, or by any of the acts of Congress.' If the people should by whatever mode or means, make it an executive duty to re-enslave such persons, another, and not I, must be their instrument to perform it. In stating a single condition of peace, I mean simply to say, that the war will cease on the part of the government whenever it shall have ceased on the part of those who began it."<sup>1</sup>

Lincoln did not change his opinion of what might be the result of any negotiation with Jefferson Davis and he himself initiated no interchange of views but he did not forbid Francis P. Blair, Sr., from making an effort for peace and gave him a pass through the lines of the Union army to go South and return. But he would not listen to any exposition of the ideas of Blair who therefore went to Richmond without any authority. Blair and Davis had been personal friends, the Blair family having shown kindness to the Davis family of a nature which the Confederate President could never forget. He received Blair readily and accorded him, January 12, 1865 a confidential interview. "Slavery 'the cause of all our woes,'" said Blair, "is admitted now on all sides to be doomed." Wherefore should we fight longer? Let us invoke the Monroe doctrine. Suppose, that a secret armistice be made to enable President Davis to

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<sup>1</sup> Complete Works, vol. ii. pp. 614, 615.

transfer a portion of his army to the banks of the Rio Grande, that an alliance be made with the Mexicans who adhere to Juarez, that if necessary Northern soldiers join the enterprise and that this united force under the leadership of Davis "expel the Bonaparte-Hapsburg dynasty from our Southern flank." Might not Davis having allied "his name with those of Washington and Jackson as a defender of the liberty of the country," mould the Mexican States so that they could be received into the Union and thereafter might not our possessions be rounded by their extension to the Isthmus? Davis, in his reply, displayed a certain amount of sympathy with the proposed scheme and great eagerness for the "cessation of hostilities." The practical result of the interview, as he regarded it, he reduced to writing in the form of a letter to Blair which was to be shown to President Lincoln. In it he said, "I . . . am willing now, as heretofore, to enter into negotiations for the restoration of peace. . . . That, notwithstanding the rejection of our former offers, I would, if you could promise that a commissioner, minister, or other agent would be received, appoint one immediately and renew the effort to enter into conference, with a view to secure peace to the two countries."<sup>1</sup> Blair returning to Washington showed the letter to Lincoln and received this reply: "You may say to him [Mr. Davis] that I have constantly been, am now, and shall continue ready to receive any agent whom he, or any other influential person now resisting the National authority, may informally send to me with the view of securing peace to the people of our one common country."<sup>2</sup> Lincoln's note was delivered by Blair to Davis in Richmond. This was the origin of the Hampton Roads conference.<sup>3</sup>

<sup>1</sup> Nicolay and Hay, vol. x. p. 107.

<sup>2</sup> Ibid., p. 108.

<sup>3</sup> Blair MS. printed in full by Nicolay and Hay in *Century Magazine*, Oct., 1889, p. 840; Nicolay and Hay, vol. x. chap. v.; Davis's Memorandum of the

The South was approaching exhaustion. Sherman's march through Georgia and Hood's defeat at Nashville had bred a feeling of despondency far and wide. Lee called attention to the "alarming frequency of desertions" from his army which were due mainly to the "insufficiency of food and non-payment of the troops."<sup>1</sup> Even the Confederate paper money was not to be had, although this was fast losing value. Sixty dollars of it were needed to buy one dollar in gold. Beef sold for \$6 a pound and flour for \$1000 a barrel.<sup>2</sup> The weather was cold and fuel scarce. Jones makes a record of the mercury at zero and wood selling for \$5 a stick.<sup>3</sup> In the midst of this distress came the news that Fort Fisher had fallen.<sup>4</sup> This closed Wilmington, North Carolina, the last open port of the Confederacy.<sup>5</sup> Blockade running was at an end. The trade of cotton and tobacco with Europe for needed supplies, on which the South had lived and carried on the war, ceased. As the existence of the Confederacy depended on Lee's army, the most serious feature of a very grave situation was the lack of food for his soldiers. Sherman's march had cut off the supplies from Georgia, but meat and

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"confidential conversation" made Jan. 12, 1865, O. R., vol. xlvi. part ii. p. 1037.; Davis's Confederate Government, vol. ii. p. 612. The date of Davis's letter was Jan. 12, of Lincoln's, Jan. 18.

<sup>1</sup> Jan. 27, O. R., vol. xlvi. part ii. p. 1143.

<sup>2</sup> Jan. 11, 13, 14, Jones, *A Rebel War-clerk's Diary*, vol. ii. pp. 383, 384, 386; Richmond *Whig*, Feb. 3. I have searched the Richmond newspapers for a confirmation of these prices but they give few quotations. It is curious that they report nearly every day the price of gold in New York but rarely that in Richmond. Schwab, *The Confederate States of America*, p. 167, gives a table based on the market reports of the Richmond, Charleston and New Orleans newspapers in which the average monthly value in currency of one dollar is given at 53 for Jan., 58 for Feb. and 61 for March, 1865. Between Jan. 11 and Feb. 3, gold in Richmond fluctuated between 70 and 45. — Jones, pp. 392, 401; Richmond *Dispatch*, Jan. 30, Feb. 1-4; see Appleton's Annual Cyclopaedia, 1865, p. 188.

<sup>3</sup> Jan. 27, Jones, vol. ii. p. 400.

<sup>4</sup> Jan. 16, O. R., vol. xlvi. part ii. p. 1073.

<sup>5</sup> See Stephens's remarks on this disaster, *War between the States*, vol. ii. p. 619.

corn could be obtained from southwest Virginia and the Carolinas.<sup>1</sup> The permanent way of the Richmond and Danville Railroad on which the transportation of this food depended had not been kept up, the locomotives, cars and machinery generally were out of repair so that the daily wants of the commissariat could barely be met.<sup>2</sup> Lee reported that all the country within reach of his army had been "swept clear."<sup>3</sup> The Commissary-General wrote that for several months the Army of Northern Virginia had been "living literally from hand to mouth."<sup>4</sup> The overpowering difficulty was the lack of money. The chief Commissary of Subsistence of North Carolina wrote: "My officers are without funds, and their efforts to secure subsistence stores are paralyzed in consequence of same. Producers are refusing to sell, even at market prices, because they say the Government will not pay."<sup>5</sup> The chief Commissary of Subsistence in the second district of Virginia told a significant tale. When he had taken charge of the district, people for the most part "not only received Confederate money readily, but felt themselves open to the suspicion of disloyalty if they took greenbacks. This," he went on to say, "is no longer the case. The people for a belt of several counties along the Potomac now refuse to take anything but United States currency, cotton or gold. These are the only counties in my district from which any considerable amount of meats are gotten."<sup>6</sup> From another quarter came the word, "to obtain horses in Virginia, gold or Federal money is essential."<sup>7</sup> The value of the paper currency of a

<sup>1</sup> Northrup, Commissary-General, Jan. 11, O. R., vol. xlvi. part ii. p. 1035.

<sup>2</sup> Letter of President of Richmond and Danville R. R., Jan. 1, 1876, South. Hist. Soc. Papers, vol. iii. p. 109; Letter of J. A. Campbell, July 20, 1865, *Century Magazine*, Oct., 1889, p. 951.

<sup>3</sup> Jan. 11, O. R., vol. xlvi. part ii. p. 1035.

<sup>4</sup> Feb. 9, ibid., p. 1211.

<sup>5</sup> Feb. 2, ibid., p. 1221.

<sup>6</sup> Jan. 20, ibid., ser. iv. vol. iii. p. 1031.

<sup>7</sup> Feb. 1, ibid., vol. xlvi. part ii. p. 1191.

nation is a symptom of the nation's stability and men had it thus brought home to them in the common operations of life, that the financial system of the Confederacy had broken down while the money of the enemy was eagerly sought for within its borders. A natural step in the reasoning would lead to a distrust in the whole Southern enterprise. Traffic across the lines with country under control of the Union forces was an important source of supply for Lee's army. This traffic which consisted in the exchange of cotton for subsistence stores, was carried on largely by agents of the Confederate government. "In view of the loss of the port of Wilmington for obtaining supplies," wrote Lee, "we should endeavor to make the traffic across the lines as productive as possible;" and he therefore suggested measures for stopping unauthorized trade of the same nature.<sup>1</sup>

Despondency and discontent are the words that best express the state of the public mind. President Davis was discontented with his Congress<sup>2</sup> and Congress was equally discontented with him. Two peace resolutions were introduced into the House of Representatives.<sup>3</sup> The Virginia delegation in Congress from ostensibly friendly motives expressed the opinion to Davis that he should reorganize his cabinet by relieving all the present heads of departments<sup>4</sup> and shortly afterwards Bocock, the Speaker of the House of Representatives, wrote to him that if a resolution which was not unlikely to be presented, declaring "that the country

<sup>1</sup> O. R., vol. xlvi. part ii. pp. 1075, 1076, 1211; Jones's Diary, vol. ii. pp. 383, 407.

<sup>2</sup> Davis to Lee, Jan. 31, O. R., vol. xlvi. part ii. p. 1165; Alfriend's Davis, p. 599.

<sup>3</sup> War Department Archives. Peace resolutions had also been offered in December, 1861. Callahan's Diplomatic Hist. South. Confed., p. 255.

<sup>4</sup> O. R., ser. iv. vol. iii. p. 1046; Appleton's Annual Cyclopædia, 1865, p. 189. The Richmond *Dispatch* says that this was directed at all the members of the cabinet except Trenholm, Secretary of the Treasury.

wants confidence in the cabinet as an administration," should actually be offered in the House it would obtain a three-quarters vote.<sup>1</sup> This threatened censure was probably aimed more directly at Benjamin, Secretary of State and at Seddon, Secretary of War, than at the other cabinet officers. The ability of Benjamin was unquestioned but he was by many considered untrustworthy. A grave charge against the War Department was that the commissariat was managed badly; this was due partly to the incompetence of the Commissary-General<sup>2</sup> and Seddon and Davis were at fault for retaining him in his position. Feeling that things had gone wrong the public was discontented with both Davis and Congress. "The government has lost the confidence of the people," was written by an official from Alabama.<sup>3</sup> "Gloom and despondency rule the hour," wrote Howell Cobb to Seddon from Georgia, "and bitter opposition to the administration mingled with disaffection and disloyalty is manifesting itself."<sup>4</sup> A letter of Governor Vance of North Carolina to Governor Brown of Georgia indicates that in those two States discontent was moving men to organized opposition to the government.<sup>5</sup> "We hear daily of a rapid change for the worse in the public sentiment of the country," wrote Speaker Bocock confidentially to Davis, "not only in other States but here in our loved and honored Virginia. . . . I feel altogether sure that something must be done and that promptly to restore confidence and revive the hopes or else we may look for the worst result."<sup>6</sup>

<sup>1</sup> O. R., vol. xlvi. part ii. p. 1118.

<sup>2</sup> See letters of Lee, Jan. 19, 27, *ibid.*, pp. 1099, 1143; letter of Northrop, Commissary-General, *ibid.*, p. 1040; report, *ibid.*, p. 1214; South. Hist. Soc. Papers, vol. iii. pp. 97, 109; Eggleston's *A Rebel's Recollections*, p. 201.

<sup>3</sup> Chief Commissary of Subsistence, Jan. 25, O. R., vol. xlvi. part ii. p. 1221.

<sup>4</sup> Jan. 8, O. R., ser. iv. vol. iii. p. 1010.

<sup>5</sup> Jan. 18, O. R., vol. xlvi. part ii. p. 1093.

<sup>6</sup> Jan. 21, O. R., vol. xlvi. part ii. p. 1118; see also Jones; Pollard's and Alfriend's *Davis*.

There were movements in two directions, one to call conventions in the different States and the other to put Lee at the head of all of the military forces of the Confederacy.<sup>1</sup> One came to nothing, the other succeeded. The General Assembly of Virginia by a unanimous vote expressed the opinion that the appointment of Lee to the command of all the armies "would promote their efficiency" and "reanimate the spirit" of both soldiers and people. This was communicated confidentially in a deferential way to Davis who replied sympathetically that he agreed fully with the Assembly;<sup>2</sup> shortly afterwards he appointed Lee General-in-Chief.<sup>3</sup> It is significant that all men, no matter how they might differ in other respects, turned with one accord to Lee as their saviour if indeed salvation were to be had. His personal influence is illustrated by a circumstance occurring at this time. Heavy rains had destroyed a part of the Richmond and Danville Railroad which was the main source of supply for his army so that food could not be transported over it for a number of days. He had but two days' supplies. On a suggestion from the War Department Lee made a personal appeal to the farmers, millers and other citizens to give him food, and although it was probable that nothing could have been impressed in that section, these men willingly brought in supplies sufficient to carry the army through that strait.<sup>4</sup>

Far below Lee in the estimation of the public was Jefferson Davis, yet next to Lee he was the strongest individual influence in this time of distress. The power which he exercised by virtue of his office and the opposition to him lacking a head make it difficult to

<sup>1</sup> Vance to Brown, O. R., vol. xlvi. part ii. p. 1093; *Richmond Examiner*, Jan. 9; Jones's Diary, vol. ii. pp. 381, 389, 391.

<sup>2</sup> Jan. 17, 18, O. R., vol. xlvi. part ii. pp. 1084, 1091.

<sup>3</sup> The nomination was confirmed Feb. 1, see *ibid.*, pp. 1091, 1188, 1199.

<sup>4</sup> Jan. 11, 12, 16, O. R., vol. xlvi. part ii. pp. 1035, 1039, 1074, 1075.

discern what was public opinion. All yearned for peace and everybody would have been willing to give the North liberal conditions if it would grant independence to the Confederacy; and that was the view of Jefferson Davis. How many saw the inevitable, that there could be no peace except by reunion and the abolition of slavery, and were willing to submit to these conditions it is impossible to tell. Judge John A. Campbell, Assistant Secretary of War and Senator Hunter were willing to sue for peace on this basis securing the best attainable terms on other points,<sup>1</sup> but these men were not leaders and could not prevail against the positive determination of Davis. Stephens differed sharply from Davis<sup>2</sup> but showed no disposition to head a peace party on the basis of reunion; indeed he did not at this time consider the Southern cause hopeless.<sup>3</sup> Davis, according to a friendly biographer, "did not fully comprehend the widespread demoralization of the South."<sup>4</sup> His hopefulness gave him strength and courage in spite of illness and constant debility. He was inflexible but not tactful and he could not brook a slight to his personal or official dignity. On Speaker Bocock's letter he made the indorsement, "the advice volunteered to Executive by himself and others . . . is a warning if not a threat." Owing to the disaffection in Congress Seddon, the Secretary of War, resigned. Davis accepted the resignation with reluctance and made it the occasion for an academic argument that Congress had no right to call upon the President to make changes in his cabinet.<sup>5</sup>

<sup>1</sup> Letter of J. A. Campbell, July 20, 1865, *Century Magazine*, Oct. 1889, p. 950; letters of Campbell, Feb. 24, 1865, Aug. 6, 1874, *Southern Magazine*, Nov. 1874, p. 187; Hunter's articles, South. Hist. Soc. Papers, April, 1877, p. 108; Dec. 1877, p. 303; Jones's Diary, vol. ii, pp. 380, 387, 390, 403.

<sup>2</sup> See correspondence, O. R., ser. iv. vol. iii. pp. 934, 1000; Stephens's War between the States, vol. ii. p. 587.

<sup>3</sup> Ibid., p. 586 *et seq.*; Johnston and Browne, p. 486.

<sup>4</sup> Alfriend, p. 597.

<sup>5</sup> O. R., ser. iv. vol. iii. p. 1046.

Criticism was rife and different plans were proposed but with rare exceptions men did not grapple with the actual situation : that by superior resources and more efficient management the North had beaten the South. Thus matters were allowed to drift. The only plan which from a military point of view was at all feasible proposed to give the slaves their freedom on condition of their taking up arms for the Confederacy.

Conscription in the South had been rigorous. By the act of April, 1862, Davis had been authorized to call out and place in the military service all white men between the ages of eighteen and thirty-five ; in September, 1862 those between thirty-five and forty-five were added but were not called for until the following July ; and in February, 1864 the conscription had been made to apply to all between the ages of seventeen and fifty.<sup>1</sup> Grant's remark that to fill their armies the Confederates had "robbed the cradle and the grave"<sup>2</sup> was a shrewd epigram for their actual condition.<sup>3</sup> During the year 1864 the enlistment of slaves began to be mooted. In his message of November 7, 1864, Davis said, "I must dissent from those who advise a general levy and arming of the slaves for the duty of soldiers. . . . But should the alternative ever be presented of subjugation or of the employment of the slave as a soldier, there seems no reason to doubt what should then be our decision."<sup>4</sup> With the increase of misfortunes the sentiment favouring such a policy grew and received moreover the sanction of General Lee. "My own opinion is," he wrote January 11, "that we should employ them

<sup>1</sup> Statutes at Large, C. S.; The Confederate States of America, Schwab, p. 193; Moore, Reb. Rec. vol. vii. p. 210; Jones's Diary, vol. i. p. 381.

<sup>2</sup> See vol. iv. p. 525.

<sup>3</sup> "White-beards have arm'd their thin and hairless scalps ;  
    . . . boys with women's voices,  
Strive to speak big and clap their female joints  
    In stiff unwieldy arms." — Richard II. act III. scene 2.

<sup>4</sup> Appleton's Annual Cyclopædia, 1864, p. 697.

[the slaves] without delay. I believe that with proper regulations they can be made efficient soldiers. . . ." We should give "immediate freedom to all who enlist and freedom at the end of the war to the families of those who discharge their duties faithfully. . . ." It would be well "to accompany the measure with a well-digested plan of gradual and general emancipation."<sup>1</sup> Congress did not act promptly on the recommendation of Lee and if there had been virtue in such a policy it was now too late to avail anything. The enlistment of the slaves was opposed strongly and the argument against it was well put by Howell Cobb who at the beginning of the war was the owner of a thousand negroes.<sup>2</sup> "The day you make soldiers of them" [the negroes] he wrote, "is the beginning of the end of the revolution. If slaves will make good soldiers our whole theory of slavery is wrong."<sup>3</sup> In truth it might have been asked if we are voluntarily going to give our slaves freedom wherefore did we secede and go to war? But in January, 1865, nearly all Southerners would have answered the question, What are you fighting for? by the reply, For our independence and against subjugation.<sup>4</sup>

Thus stood affairs in the Confederacy and Richmond when Blair brought to Davis the letter from Lincoln. Davis took counsel with Stephens and with his cabinet and determined to send Stephens, Campbell and Hunter as commissioners for an informal conference with the President but in drawing up their instructions he disclosed the irreconcilable difference between the two con-

<sup>1</sup> O. R., ser. iv. vol. iii. p. 1013.

<sup>2</sup> Memorial, Boykin, p. 47.

<sup>3</sup> He added, "but they won't make soldiers." O. R., ser. iv. vol. iii. p. 1009.

<sup>4</sup> In this connection chap. xi. of Callahan's Dip. Hist. of South. Confed. is interesting. He states that Benjamin informed Davis in the autumn of 1864 that "future negotiations with Europe must be on the basis of emancipation and the Government seizure of cotton to purchase ships by which to break the blockade." Callahan leads the reader to infer that Benjamin persuaded Davis to his views. Kenner was sent to Europe on a secret mission with some such end in view. But of course it came to nothing. See p. 246 *et seq.*

testants. Lincoln had written "with the view of securing peace to the people of our one common country," while Davis wrote, the informal conference is "for the purpose of securing peace to the two countries." Had not the desire of the commissioners for peace been so strong as to induce them to strain their instructions, had not General Grant (at whose headquarters the commissioners remained two days while the preliminaries were being settled), in his anxiety to have the conference take place, interposed his kind offices, and had not Lincoln waived form for substance, Davis's quibble about words would have prevented the meeting.<sup>1</sup> After the interchange of many protocols Lincoln and Seward in the end received February 3 the Confederate commissioners on board a United States steamer anchored near Fort Monroe. When personal courtesies had been passed and memories of brother Whigs revived between Lincoln and Stephens, Stephens asked, "Mr. President is there no way of putting an end to the present trouble?" Lincoln replied, in substance that "there was but one way he knew of and that was for those who were resisting the laws of the Union to cease that resistance." Stephens with some indirection inquired whether there might not be an armistice and if there were not some continental question which might temporarily engage the attention of both parties "until the passions on both sides might cool." "We have," he added, "been induced to believe that there is." Here was the mischief of the Blair mission, if mischief there was, for Davis believed and had communicated this belief to Stephens that the President understood fully "the object of Blair's mission and would act in accordance with the views he had presented."<sup>2</sup>

<sup>1</sup> See an interesting account of Davis's correction of the paper drafted by Benjamin in a memorandum found among the State papers of the Confederacy, the *Southern Bivouac*, Dec. 1886, p. 424.

<sup>2</sup> Stephens's War between the States, vol. ii. p. 592; see Hunter, South. Hist. Soc. Papers, April, 1877, p. 173; also letter of Campbell *Southern Magazine*, Nov. 1874, p. 188.

Lincoln took occasion at once to disabuse the commissioners of any such impression: "I suppose you refer to something that Mr. Blair has said. Now it is proper to state at the beginning, that whatever he said was of his own accord and without the least authority from me. When he applied for a passport to go to Richmond, with certain ideas which he wished to make known to me, I told him flatly that I did not want to hear them. If he desired to go to Richmond of his own accord, I would give him a passport; but he had no authority to speak for me in any way whatever. When he returned and brought me Mr. Davis's letter, I gave him the one to which you alluded in your application for leave to cross the lines. I was always willing to hear propositions for peace on the conditions of this letter and on no other. The restoration of the Union is a *sine qua non* with me."<sup>1</sup> Stephens returned to the subject of the Monroe doctrine in connection with the French occupation of Mexico and pleaded for a suspension of hostilities, eliciting from the President the earnest declaration that he could not give his consent to an armistice. After a good deal of conversation between Stephens and Seward, Judge Campbell inquired how restoration was to take place supposing that the Confederate States consented to it. Lincoln replied, "by disbanding their armies and permitting the national authorities to resume their functions." Slavery was discussed, the President saying that "he never would change or modify the terms of the Proclamation in the slightest particular," and Seward informing the Southerners that the Thirteenth Amendment abolishing slavery had just been passed by Congress.

If the Confederate States were to abandon the war, asked Stephens, "would they be admitted to representation in Congress?" Lincoln replied that he thought that

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<sup>1</sup> Stephens's War between the States, vol. ii. p. 600.

"they ought to be but he could not enter into any stipulation upon the subject." When Stephens pressed the point that there should be some understanding Lincoln said that he could not treat "with parties in arms against the government." Hunter said that "this had been often done, especially by Charles I. when at civil war with the British Parliament." Lincoln replied: "I do not profess to be posted in history. On all such matters I will turn you over to Seward. All I distinctly recollect about the case of Charles I., is, that he lost his head in the end."<sup>1</sup> After further discussion Lincoln burst out: "Stephens, if I were in Georgia, and entertained the sentiments I do—though, I suppose, I should not be permitted to stay there long with them; but if I resided in Georgia with my present sentiments, I'll tell you what I would do, if I were in your place: I would go home and get the Governor of the State to call the Legislature together, and get them to recall all the State troops from the war; elect Senators and Members to Congress, and ratify this Constitutional Amendment [the Thirteenth], prospectively, so as to take effect—say in five years. Such a ratification would be valid in my opinion. I have looked into the subject and think such a prospective ratification would be valid. Whatever may have been the views of your people before the war, they must be convinced now, that Slavery is doomed. It cannot last long in any event, and the best course, it seems to me, for your public men to pursue, would be to adopt such a policy as will avoid, as far as possible, the evils of immediate emancipation. This would be my course, if I were in your place."<sup>2</sup>

Hunter summed up the talk and said that nothing had been offered them "but unconditional submission to the mercy of the conquerors." This Seward dis-

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<sup>1</sup> Stephens's War between the States, vol. ii. p. 613.

<sup>2</sup> *Ibid.*, p. 614.

claimed in courteous terms and Lincoln "said that so far as the Confiscation Acts, and other penal acts, were concerned, their enforcement was left entirely with him, and on that point he was perfectly willing to be full and explicit, and on his assurance perfect reliance might be placed. He should exercise the power of the Executive with the utmost liberality. He went on to say that he would be willing to be taxed to remunerate the Southern people for their slaves. He believed the people of the North were as responsible for slavery as the people of the South, and if the war should then cease, with the voluntary abolition of slavery by the States, he should be in favor, individually, of the Government paying a fair indemnity for the loss to the owners. He said he believed this feeling had an extensive existence at the North. He knew some who were in favor of an appropriation as high as Four Hundred Millions of Dollars for this purpose. . . . But on this subject he said he could give no assurance — enter into no stipulation. He barely expressed his own feelings and views, and what he believed to be the views of others on the subject."<sup>1</sup> In the President's report to the House of Representatives he said, "The Conference ended without result."<sup>2</sup>

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<sup>1</sup> Stephens's *War between the States*, vol. ii. p. 617.

<sup>2</sup> My authorities are mainly the reports of the Confederate commissioners, all of whom have given an account of this Conference. That of Stephens is the fullest and the one which I have mainly followed. It was in MS., March 12, 1869 (Johnston and Browne, p. 497), and was probably written much earlier. It is printed in *War between the States*, vol. ii. p. 599. Campbell's account was written soon after the conference and is printed in the *Southern Magazine* for Nov. and Dec. 1874. Hunter's is printed in the South. Hist. Soc. Papers for April, 1877. All agree substantially. The report of President Lincoln to the House of Representatives, Feb. 10 (O. R., vol. xlvi. part ii. p. 513) and of the commissioners to Davis, Feb. 5 (*ibid.*, p. 446) and Seward's letter to Adams, Feb. 7 (Lincoln, *Complete Works*, vol. ii. p. 650) are confirmatory. The official correspondence leading to the Conference is printed in O. R., vol. xlvi. part ii. p. 505 and a full account of the preliminaries is given by Stephens, in his vol. ii. p. 590 *et seq.* The Controversy between Davis and Hunter (South. Hist. Soc. Papers, Nov. 1877, p. 208 *et seq.*, Dec. 1877, p.

The talk of Blair had deluded Davis and the Confederate commissioners and while they were not ready to agree to join forces with the North in expelling the French from Mexico, they thought that they might secure an armistice of which they stood sadly in need. They were all much disappointed at the result of the Conference. Davis sent the report of the commissioners to his Congress with an accompanying message in which he presented with harshness the ultimatum of the President but made no mention of the kindness of tone and spirit that mitigated the necessarily hard conditions.<sup>1</sup> He held the opinion that the Southern people must be aroused by speeches and by articles in the press to renewed resistance to the unconditional submission exacted of them. He himself, though ill and weak, his face emaciated and wan, went to the African church the evening of February 6 and made according to accounts the master oration of his life. Stephens wrote that the speech "was not only bold, undaunted and confident in its tone but had that loftiness of sentiment and rare form of expression, as well as magnetic influence in its delivery, by which the passions of the masses of the people are moved to their profoundest depths and roused to the highest pitch of excitement." In extravagant Southern phrase the speech was compared to appeals of Demosthenes and Rienzi.<sup>2</sup> "I spoke always of two countries," declared Davis. "Mr. Lincoln spoke of a common country. I can have no com-

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303) and the letter of Campbell (*Southern Magazine*, Nov. 1874, p. 187) throw light on the subject. See Davis to Hill, Feb. 6, O. R., vol. xlvi. part ii. p. 1208; Johnston and Browne, p. 484. For some of the amenities of the Conference see Pierce's *Sumner*, vol. iv. p. 205.

<sup>1</sup> An allusion to this was made in the report of the commissioners.

<sup>2</sup> Stephens's *War between the States*, vol. ii. p. 623. Stephens did not hear the speech: he had declined to address the same meeting and was not present but being in Richmond his account is obviously made up from the impressions of those who heard it. See also Jones's *Diary*, vol. ii. p. 411; Richmond *Dispatch*, Feb. 7; Pollard's *Lost Cause*, p. 685; Life of Davis, p. 471; Alfriend's *Life of Davis*, p. 611; Long's *Life of Lee*, p. 402.

mon country with the Yankees. My life is bound up with the Confederacy; and if any man supposes that under any circumstances I can be an agent of the reconstruction of the Union he mistakes every element of my nature. With the Confederacy I will live or die. Thank God I represent a people too proud to eat the leek or bow the neck to mortal man.”<sup>1</sup> Three days later another large and enthusiastic meeting was addressed by Senator Hunter and Secretary Benjamin. Hunter related that all that had been offered them was absolute submission and Benjamin declared that they would accept nothing short of independence.<sup>2</sup> Lee at the same time endeavoured to arouse the spirit of his soldiers. The choice for you, he said, lies “between war and abject submission.”<sup>3</sup> Enthusiasm and excitement followed these efforts and for a few days it looked to the indwellers of Richmond as if resistance might be protracted until their cause was gained.<sup>4</sup> But the effect was only momentary.<sup>5</sup> The stimulation subsided and the soldiers and people of the Confederacy again stood face to face with their grave situation. Lee was not given to extravagant statement and in his letter to the Secretary of War of February 8 he made an accurate presentation of the trials of his men. “All the disposable force of the right wing of the army has been operating against the enemy beyond Hatcher’s Run since Sunday” [the 5th], he wrote. “Yesterday, the most

<sup>1</sup> Richmond *Examiner*, Feb. 7, I have changed its report in the third person to the first.

<sup>2</sup> Richmond *Dispatch*, Feb. 10; Jones’s Diary, vol. ii. p. 415; Appleton’s Annual Cyclopædia, 1865, p. 191.

<sup>3</sup> O. R., vol. xlvi. part ii. p. 1229.

<sup>4</sup> Richmond *Dispatch*, Feb. 7, 10; Richmond *Whig*, Feb. 9, 10.

<sup>5</sup> The Raleigh (N. C.) *Progress* was substantially accurate when it said: “The ‘monster mass’ meetings being held in Richmond are noticed in all the papers of that city with show-bill headings but nothing is said about recruits. There is great ‘enthusiasm’ at the meetings but not a man is put in the army. When will these farces cease?” — O. R., vol. xlvii. part ii. p. 1252.

inclement day of the winter, they had to be retained in line of battle, having been in the same condition the two previous days and nights. I regret to be obliged to state that under these circumstances, heightened by assaults and fire of the enemy, some of the men had been without meat for three days, and all were suffering from reduced rations and scant clothing, exposed to battle, cold, hail and sleet. I have directed Colonel Cole, chief commissary, who reports that he has not a pound of meat at his disposal, to visit Richmond and see if nothing can be done. If some change is not made and the commissary department reorganized, I apprehend dire results. The physical strength of the men, if their courage survives, must fail under this treatment. . . . Taking these facts in connection with the paucity of our numbers, you must not be surprised if calamity befalls us.”<sup>1</sup> Davis indorsed on this letter, “This is too sad to be patiently considered, and cannot have occurred without criminal neglect or gross incapacity. Let supplies be had by purchase, or borrowing, or other possible mode.”<sup>2</sup> There had been a change in the War Department, John C. Breckinridge being now Secretary of War and there was soon to be another Commissary-General, and while the new men worked with energy and perhaps improved the service somewhat<sup>3</sup> nothing could avert the generally anticipated doom of the Southern Confederacy except military success which in view of the superior forces of Grant and Sherman was also impossible. The ever increasing number of deserters from a general so beloved as Lee was a harbinger of the coming downfall. By an order which mingled present mercy with a threat of future severity he attempted to lure back those who had left

<sup>1</sup> O. R., vol. xlvi. part ii. pp. 1209, 1210.

<sup>2</sup> Ibid., p. 1210.

<sup>3</sup> See the correspondence generally; South. Hist. Soc. Papers, March, 1877, p. 97.

the service<sup>1</sup> but without avail. February 24 he called "attention to the alarming number of desertions." They "are chiefly from the North Carolina regiments," he went on to say, "and especially those from the western part of that State. It seems that the men are influenced very much by the representations of their friends at home who appear to have become very despondent as to our success. They think the cause desperate and write to the soldiers, advising them to take care of themselves, assuring them that if they will return home the bands of deserters so far outnumber the home guards that they will be in no danger of arrest. . . . The deserters generally take their arms with them. . . . These desertions have a very bad effect upon the troops who remain and give rise to painful apprehension."<sup>2</sup> A Raleigh (N. C.) newspaper declared: "Peace and equality might be had now by conciliation and compromise, but if we go on and lose, we lose all and become the slaves of the conquerors. . . . This is the people's war, and we are satisfied from our intercourse with them, that an immense majority are for stopping it."<sup>3</sup> It was estimated that there were "100,000 deserters scattered over the Confederacy."<sup>4</sup> The physical resources of the South were exhausted and people in large numbers despaired of success.<sup>5</sup>

Hunter, in his sober second thought, repented of his

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<sup>1</sup> Feb. 11, O. R., vol. xlvi. part ii. p. 1229.

<sup>2</sup> O. R., vol. xlvi. part ii. p. 1254, see also pp. 1258, 1265, 1293; part iii. pp. 1353, 1354; ser. iv. vol. iii. p. 1121. Grant wrote Schofield Feb. 24: "Deserters from the rebel army are growing very numerous. Many are now bringing their arms with them. This morning forty-five came in a single squad and from a single regiment — a South Carolina regiment at that." — O. R., vol. xlvii. part ii. p. 558.

<sup>3</sup> The *Progress*, about Feb. 10. O. R., vol. xlvii. part ii. pp. 1252, 1254. Holden's paper, the *Standard*, spoke in the same strain though not so emphatically.

<sup>4</sup> O. R., vol. xlvii. part ii. p. 1119.

<sup>5</sup> See a careful report of Campbell, Assistant Secretary of War, O. R., vol. li. part ii. p. 1064.

uncompromising speech, and, believing "further resistance hopeless" urged President Davis to seek some accommodation with the enemy in the idea that better terms could be secured than if the Confederates were to surrender at discretion. He felt sure that the Confederate Senate might be induced to assume the responsibility of the first move by passing resolutions requesting Davis to negotiate for a peace, but Davis gave him no encouragement to act in that direction. Shortly afterwards General Lee came to see Hunter and pressed him to offer such a resolution in the Senate. In this conversation which lasted nearly a whole night Lee did not say that the South no longer had a chance of winning, but by the tenor of his remarks he gave that impression to Hunter, who urged him, if such were his belief, to tell it to their President.<sup>1</sup> That Lee and Davis would clutch at anything which held out hope of an armistice or of negotiation on some basis other than reunion is shown by a correspondence dated the

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<sup>1</sup> Hunter in *South. Hist. Soc. Papers*, Dec. 1877, p. 307 *et seq.*; see also Davis's reply to Hunter, *ibid.*, May, 1878, p. 223. Hunter published a letter in the Richmond *Examiner* of March 20, 1865, denying that he was in favour of a "reconstruction of the old Union." I have had no trouble in reconciling that with his recollections as printed in the *South. Hist. Soc. Papers*. I have not discovered any evidence that Lee at this time told Davis that their cause was hopeless although tradition obtains that he did. Walter H. Taylor on Lee's staff made notes in the form of a diary. He "was brought into daily and intimate relations with General Lee." The "tone" of his notes "may be regarded as in some measure indicative of the spirit and temper of that army, and the intimations of contemplated changes or probable movements therein made, as the reflex of the views and opinions of General Lee as to what was deemed expedient or probable." Taylor writes under date of March 5: "I do not yet despair; but it is evident that there has been a rapid radical change in the tone of public sentiment in which some of our officials participate. Some high in authority tell us that the people are tired, that they are not supported by the people and that public sentiment has undergone a change. Claiming to be prompted by a desire to prevent the further effusion of blood, these talk of *terms* and *reconstruction*. I do not think our military situation hopeless by any means; but I confess matters are far worse than I ever expected to see them."—*Four Years with General Lee*, pp. 140, 144.

last days of February and the first days of March. At an interview between Generals Longstreet and Ord<sup>1</sup> in regard to the exchange of prisoners a conversation took place which led Lee to infer that Grant would meet him for the purpose of an interchange of views, and that a military convention might result to which the subjects of controversy between the belligerents should be submitted in the hope of a satisfactory adjustment. Receiving a proposition for such a meeting from Lee, Grant asked instructions and received this reply signed by Stanton but written by Lincoln himself: "The President directs me to say to you that he wishes you to have no conference with General Lee unless it be for the capitulation of General Lee's army or on some minor and purely military matter. He instructs me to say that you are not to decide, discuss or confer upon any political question. Such questions the President holds in his own hands, and will submit them to no military conferences or conventions."<sup>2</sup> Grant communicated the substance of this despatch to Lee, thereby destroying the hope of any negotiation save on the basis repeatedly laid down by the President.<sup>3</sup>

At the same time Judge Campbell was working earnestly in the effort to induce the Confederacy to recognize the accomplished fact. To support the party in Congress, who, despite the terms insisted upon by Lincoln at the Hampton Roads Conference, still favoured negotiation, he wrote a letter to Senator Graham of North Carolina, in which, taking for his text, "I do not consider that this position of his [Lincoln's] will prevent the settlement of conditions," he made a careful legal argument demonstrating that with reunion assumed there was much nevertheless to negotiate about. This

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<sup>1</sup> In command of the Department of Virginia.

<sup>2</sup> March 3, O. R., vol. xlvi. part ii. p. 802.

<sup>3</sup> This correspondence is in *ibid.*, pp. 801, 802, 824, 825, Davis to Lee, *ibid.*, p. 1264.

letter with his memorandum of the Hampton Roads Conference was considered by a number of senators and representatives with the result that a committee consisting of Senators Graham, Hunter and Orr went to see Davis to induce him to begin negotiations on the basis of abandoning Southern independence. This Davis in effect refused to do.<sup>1</sup> March 5, Campbell, as Assistant Secretary of War, made an exhaustive report of the situation to his chief. "No large addition can be made from the conscript population," he wrote. . . . "As a practical measure, I cannot see how a slave force can be collected, armed, and equipped at the present time. . . . The late Commissary-General pronounces the problem of subsistence of the Army of Northern Virginia, in its present position, insoluble, and the present Commissary-General requires the fulfilment of conditions, though not unreasonable, nearly impossible. . . . The Chief of Ordnance . . . has been dependent on a foreign market for one-half of the arms used. This source is nearly cut off. . . . Desertions have been frequent during the whole season and the *morale* of the army [Lee's army] is somewhat impaired. . . . It sees everywhere else disaster and defeat, and that their toils and sufferings have been unproductive. . . . The political condition is not more favorable. Georgia is in a state that may properly be called insurrectionary against the Confederate authorities. . . . North Carolina is divided. . . . With the evacuation of Richmond, the State of Virginia must be abandoned. . . . The South may succumb, but it is not necessary that she should be destroyed. I do not regard reconstruction as involving destruction. . . . There is anarchy in the opinions of men here, and few are willing to give counsel. Still fewer are willing to incur

<sup>1</sup> See letter to Senator Graham, Feb. 24, 1865, letter to Sec. South. Hist. Soc., Aug. 6, 1874, *Southern Magazine*, Nov. 1874, p. 188; letter to B. R. Curtis, July 20, 1865, *Century Magazine*, Oct. 1889, p. 952; letter of Davis, South. Hist. Soc. Papers, May, 1878, p. 222.

the responsibility of taking or advising action.”<sup>1</sup> Breckinridge, the Secretary of War, asked Lee his opinion. Lee wrote: “The military condition of the country . . . is full of peril and requires prompt action. . . . If the army can be maintained in an efficient condition, I do not regard the abandonment of our present position as necessarily fatal to our success [*i.e.* the abandonment of Petersburg and Richmond which at this time Lee foresaw as a military necessity]. . . . Everything, in my opinion, has depended and still depends upon the disposition and feelings of the people. Their representatives can best decide how they will bear the difficulties and sufferings of their condition and how they will respond to the demands which the public safety requires.”<sup>2</sup> This letter with many other papers was sent by Davis to his Congress.<sup>3</sup> It is not clear that Campbell’s report was officially transmitted, but no doubt can exist that Davis, Lee and certain members of the Confederate Congress were fully acquainted with it;<sup>4</sup> and Congress would undoubtedly have authorized negotiations had it believed that such authorization would be acceptable to Davis.<sup>5</sup> Two men, Lee and Davis, acting together could have led Congress and the country. Lee’s caution, his dislike to assume the responsibility and

<sup>1</sup> O. R., vol. li, part ii, pp. 1065, 1066, 1067. This report was copied from records in possession of the South. Hist. Soc.

<sup>2</sup> March 9, O. R., vol. xlvi, part ii, p. 1295.

<sup>3</sup> O. R., ser. iv, vol. iii, p. 1136.

<sup>4</sup> See Campbell in *Southern Magazine*, Dec. 1874, p. 195.

<sup>5</sup> See Rives’s resolution, *Southern Magazine*, Dec. 1874, p. 196. The Richmond *Dispatch* of March 31 gave a “list of Senators, Representatives and other public men throughout the South who are in favor of reconstruction on the basis of the Union and the Constitution.” From Virginia were Senator Caperton and eight representatives; from North Carolina, Senators Graham and Dorch, four representatives, Governor Vance and four other public men; from South Carolina, Senator Orr and Representative Boyce; from Georgia, Senators H. V. Johnson and B. H. Hill, seven representatives, Governor Brown and seven other public men; from Alabama, Senators Walker and Jemison, three representatives and four other public men; from Mississippi, Senator Watson, three representatives and one ex-governor.

his sense of the duty of a military subordinate to his political superior prevented him probably from urging his President to negotiate a peace but if the memories of private conversations may be believed he had lost all hope of success.<sup>1</sup> But it was Jefferson Davis who in this matter imposed his will on all of his subordinates and it was he more than anybody else who stood in the way of an attempt to secure favourable terms for the South in a reconstruction of the Union. Acquainted with all the facts I have set forth and many more of the same tenor he said in the message to his Congress of March 13, "There remains for us no choice but to continue the contest to a final issue."<sup>2</sup> In this dogged resolution, this repugnance to own up that he was beaten, there was more of selfishness than of regard for the best interests of his people. He said to Blair that he was like Lucius Junius Brutus—that Brutus

"that would have brooked  
The eternal devil to keep his state in Rome  
As easily as a king."<sup>3</sup>

He declared that the Constitution "did not allow him to treat for his own suicide";<sup>4</sup> and ruled by arrogance he was quarrelling with his Congress when they separated for the last time.<sup>5</sup> Congress had been busy during its final session, but the only wise thing it could do, to insist on some attempt to make terms with the enemy, it had not done. It might as well have given up the struggle in such a way, for it virtually did own up that the South was beaten by the passage late in the session of an act providing for the employment of slaves in the

<sup>1</sup> Besides the conversation with Hunter see report of talk with Rives and Campbell, *Southern Magazine*, Dec. 1874, p. 195.

<sup>2</sup> O. R., ser. iv. vol. iii. p. 1135. This is probably the message referred to as "the secret message."

<sup>3</sup> Nicolay and Hay, vol. x. p. 103.

<sup>4</sup> Campbell, July 20, 1865, *Century Magazine*, Oct. 1889, p. 952.

<sup>5</sup> O. R., ser. iv. vol. iii. p. 1130 *et seq.*, p. 1144 *et seq.*

military service.<sup>1</sup> The greatest influence towards the enactment of this bill, to which there was considerable opposition, was the letter of Lee February 18 to Barksdale, a representative from Mississippi.<sup>2</sup> In this letter he said that the employment of negroes as soldiers was "not only expedient but necessary"; he supported this statement by argument and gave the opinion that they would be efficient men in the ranks. After the measure became a law he coöperated with the War Department in an effort to recruit negro troops. The language of the act is ambiguous and the order of the Adjutant-General prescribing the regulations for "the enlistment of colored persons" is not entirely clear, but the general understanding seemed to be that when the negro volunteered as a soldier he became a freedman.<sup>3</sup>

Before Congress adjourned it issued an appeal to the people in which it said: "Our absolute surrender and submission to the will of the conqueror are the only conditions vouchsafed by our arrogant foe. . . . Not only would the property and estates of vanquished 'rebels' be confiscated but they would be divided and distributed among our African bondsmen. . . . Failure makes us the vassals of an arrogant people. . . . Failure will compel us to drink the cup of humiliation even to the bitter dregs of having the history of our struggle written by New England historians!"<sup>4</sup>

If Davis, Lee and the Confederate Congress could have made up their minds to sue for peace, the contemporaneous occurrences at Washington reveal the

<sup>1</sup> Approved March 13, O. R., ser. iv. vol. iii. p. 1161.

<sup>2</sup> Richmond *Dispatch*, Feb. 24; Jones's Diary, vol. ii. p. 432. At this time Davis and Benjamin were in favour of such a measure. Alfriend, p. 602; Richmond *Dispatch*, Feb. 10.

<sup>3</sup> O. R., vol. xlvi. part iii. pp. 1354, 1366, 1367, 1370; ser. iv. vol. iii. pp. 1144, 1161, 1193, 1194; Davis's Confederate Government, vol. ii. p. 660; Jones's Diary, vol. ii. pp. 450, 451, 457, 461.

<sup>4</sup> Appleton's Annual Cyclopedia, 1865, p. 195 *et seq.* This was printed in the Richmond *Dispatch* of March 21.

magnanimous spirit in which they would have been met by Abraham Lincoln.

Two days after the Hampton Roads Conference (February 5) the President called his cabinet together and submitted to them the draft of a message which he proposed to send to Congress. He recommended to his "Fellow-citizens of the Senate and House of Representatives" that a joint resolution be adopted empowering the President to pay in his discretion, to the States of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, Virginia and West Virginia<sup>1</sup> \$400,000,000 in six per cent government bonds as compensation for their slaves. This payment was "to be distributed among said States pro rata on their respective slave populations as shown by the census of 1860" and was to be dependent on the ceasing of all resistance to the national authority by the first day of April next. On the abandonment of such resistance one-half of the sum should be paid, the other half on the Thirteenth Amendment, which abolished slavery, becoming valid law by the ratification of the requisite number of States. The cabinet disapproved unanimously of the President's project. Welles was undoubtedly right in his opinion that such a measure could not pass the present Congress.<sup>2</sup>

The proposition shows the generous spirit in which Lincoln, had he lived, would have met the question of reconstruction. Is there in history another instance of such magnanimity to a beaten foe? An infinite pity moves this great heart that deigns not to exult, but sinks all pride of success in an effort to enter into the feelings of those who have lost. If we reflect on Lincoln during the vicissitudes of the Civil War and follow the

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<sup>1</sup> Eleven of these were in the Confederacy, five in the Union.

<sup>2</sup> Lincoln, Complete Works, vol. ii. p. 635; Nicolay and Hay, vol. x. p. 133 *et seq.*

development of his mind and character to the height reached on this Sunday evening when he pleaded with his cabinet for mercy to the enemy, we know that we are contemplating the pure charity and the real wisdom. Sublime words of Lincoln's own are at hand to reveal the inner working of the soul—words spoken from the Capitol March 4, his second inaugural address, the greatest of presidential inaugurations, one of the noblest of State papers. "Fellow-countrymen," he said, ". . . on the occasion corresponding to this four years ago, all thoughts were anxiously directed to an impending civil war. All dreaded it—all sought to avert it. While the inaugural address was being delivered from this place, devoted altogether to saving the Union without war, insurgent agents were in the city seeking to destroy it without war—seeking to dissolve the Union, and divide effects, by negotiation. Both parties deprecated war; but one of them would make war rather than let the nation survive; and the other would accept war rather than let it perish. And the war came.

"One-eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the Southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was, somehow, the cause of the war. To strengthen, perpetuate and extend this interest was the object for which the insurgents would rend the Union, even by war; while the government claimed no right to do more than to restrict the territorial enlargement of it.

"Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the cause of the conflict might cease with, or even before, the conflict itself should cease. Each looked for an easier triumph and a result less fundamental and astounding. Both read the same Bible, and pray to the same God; and each invokes His

aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not, that we be not judged. The prayers of both could not be answered — that of neither has been answered fully.

“The Almighty has His own purposes. ‘Woe unto the world because of offences! for it must needs be that offences come; but woe to that man by whom the offence cometh.’ If we shall suppose that American slavery is one of those offences which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war, as the woe due to those by whom the offence came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope — fervently do we pray — that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondman’s two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, ‘The judgments of the Lord are true and righteous altogether.’

“With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation’s wounds; to care for him who shall have borne the battle, and for his widow, and his orphan — to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations.”<sup>1</sup>

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<sup>1</sup> Lincoln, Complete Works, vol. ii. p. 657.

## CHAPTER XXV

SHERMAN with an army of 60,000, which was substantially the same as that which he led from Atlanta to Savannah, started northward from Savannah February 1, in the execution of a plan devised by himself, and on March 23 reached Goldsborough, North Carolina, having covered the distance of 425 miles in fifty days. The march to the sea was a frolic, that northward a constant wrestling with the elements. The first division encountered at the outset a deluging rain causing a rise in the Savannah River which broke the dikes, washed over the road and nearly drowned many of the troops. Waiting until this flood abated and passing successfully the difficulties occasioned by the high water in the neighbourhood of Savannah, the army plunged into the swamps of the Combahee and Edisto, laboured over the high hills and rocks of the Santee and floundered through the flat quagmires of the river countries of the Pedee and Cape Fear. They crossed five large navigable rivers which the almost continuous rains of the winter had converted into lakes, the men at times marching through icy water waist deep.<sup>1</sup> Where the country was not under water there was deep mud; the incessant downpour made roads which were always difficult almost impassable,

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<sup>1</sup> After the completion of the march Sherman told this story: "One day on the march while my men were wading a river which was surrounded for miles by swamps on each side, after they had been in the water for about an hour without much prospect of reaching the other side, one of them cried out to his chum, 'Say, Tommy, I'm blowed if I don't believe we've struck this river lengthways!'" Campaigning with Grant, Porter, *Century Magazine*, Sept. 1897, p. 739.

turned swampy ways into deep quagmires. It was "chaos come again" writes Cox but the chaos was bridged for hundreds of miles<sup>1</sup> by this indomitable army.<sup>2</sup> The roads were corduroyed; the streams and rivers were crossed on pontoon and trestle bridges. It would have been a difficult region for an army to march through had the inhabitants been friendly, and no enemy near; but under the direction of Wheeler's cavalry details of negro labourers had "felled trees, burned bridges and made obstructions to impede" Sherman's progress.<sup>3</sup> To gain possession of the long causeways through the swamps it was necessary to outflank the enemy and drive him off. On this and other accounts there were skirmishes nearly every day yet the army marched at the average daily rate of ten miles.<sup>4</sup> Sherman "seems to have everything his own way" wrote Lee from Petersburg.<sup>5</sup> "I made up my mind," said Joseph E. Johnston, "that there had been no such army since the days of Julius Cæsar."<sup>6</sup>

The 2500 wagons of the army carried a full supply of ammunition and a large number of government rations. The food supply was eked out and the forage obtained for the most part by systematic foraging upon the country in the manner which had been so fruitful of results in the campaign from Atlanta to the sea. The

<sup>1</sup> *March to the Sea*, p. 172.

<sup>2</sup> "Officers and soldiers have in my foresight and knowledge a childlike confidence that is really most agreeable; whilst wading through mud and water and heaving at mired wagons the soldiers did not indulge a single growl, but always said and felt that the old man would bring them out all right." — April 5, 1865, Sherman's letters to his wife, MS.

<sup>3</sup> Sherman's report, O. R., vol. xlvii. part i. p. 19.

<sup>4</sup> Sherman allows ten lay-days so that the 425 miles were covered actually in forty days. *Memoirs*, vol. ii. p. 307.

<sup>5</sup> Feb. 19, O. R., vol. xlvii. part i. p. 1044. Taylor wrote in his daily notes under date of Feb. 20: "Truly matters are becoming serious and exciting. If somebody doesn't arrest Sherman's march where will he stop?" — *Four Years with General Lee*, p. 143.

<sup>6</sup> Cox's *March to the Sea*, p. 168; *Reminiscences*, vol. ii. p. 531.

march began in South Carolina, continued directly through the centre of the State and was marked by a line of buildings and cotton bales afire. A notable occurrence was the burning, probably by stragglers, of the house and library of William Gilmore Simms.<sup>1</sup> The soldiers tore up the railroads, applied the torch to their woodwork, twisted the rails and destroyed all water-tanks, engines and machinery.<sup>2</sup> The Confederates set fire to cotton to prevent its falling into the hands of the Union army and what they spared was burned by Northern soldiers in the territory which they were merely traversing and could not hope to occupy permanently. Wheeler proposed "that if the troops of your army be required to discontinue burning the houses of our citizens I will discontinue burning cotton." Sherman made this reply: "General: Yours addressed to General Howard is received by me. I hope you will burn all cotton and save us the trouble. We don't want it and it has proven a curse to our country. All you don't burn I will. As to private houses occupied by peaceful families, my orders are not to molest or disturb them, and I think my orders are obeyed. Vacant houses being of no use to anybody, I care little about, as the owners have thought them of no use to themselves. I don't want them destroyed, but do not take much care to preserve them."<sup>3</sup> It is undeniable that in the high circles of the army there existed a bitter feeling against South Carolina as the cause of all the trouble of the past four years. "Should you capture Charleston," wrote Halleck to Sherman, "I hope that by some accident the place may be destroyed, and if a little salt should be sown upon its site it may prevent the growth of future crops of nullification and seces-

<sup>1</sup> Trent, p. 284.

<sup>2</sup> Poe's report, O. R., vol. xlvii. part i. p. 170.

<sup>3</sup> Feb. 8, O. R., vol. xlvii. part ii. p. 342.

sion."<sup>1</sup> "The whole army," Sherman replied, "is burning with an insatiable desire to wreak vengeance upon South Carolina. I almost tremble at her fate but feel that she deserves all that seems in store for her."<sup>2</sup> With such sentiments at headquarters it is little wonder that the rank and file thought it legitimate to despoil the enemy and set fire to his houses; still most of these irregularities were committed by stragglers.<sup>3</sup> Sherman's orders may probably be justified from the military point of view but they left loopholes for the mania for destruction; and the necessities of the case and the burden of responsibility resting upon Sherman may have caused him to wink at the havoc wrought by his army.<sup>4</sup> The evidence shows however that many of the general officers

<sup>1</sup> Dec. 18, 1864, O. R., vol. xliv. p. 741.

<sup>2</sup> Dec. 24, 1864, *ibid.*, p. 799.

<sup>3</sup> Lieutenant-Colonel Charles F. Morse of Second Massachusetts wrote from Robertsville, S. C., Jan. 31, the brigade to which he belonged having started on the march before the main army: "Every place is deserted; the valuables and most of the provisions are carried off; but I went into one house where there were rooms full of fine furniture, a fine piano, marble-topped tables, etc.; there was a valuable library in one room, of four or five thousand volumes. I saw a well-bound copy of Motley's Dutch Republic and a good set of Carlyle's works. This property is, of course, so much stuff strewn along the wayside. Unless there happens to be a halt near by, no one is allowed to leave the column to take anything; but stragglers, wagon-train men and the various odds and ends that always accompany an army on the march pick up whatever they want or think they want, and scatter about and destroy the rest, and by the time the last of a column five or six miles long gets by, the house is entirely gutted; in nine cases out of ten, before night all that is left to show where the rich, aristocratic, chivalrous, slaveholding South Carolinian lived, is a heap of smouldering ashes. On principle, of course, such a system of loose destruction is all wrong and demoralizing; but, as I said before, it is never done openly by the soldiers, for every decent officer will take care that none of his men leave the ranks on a march. But there is no precedent which requires guards to be placed over abandoned property in an enemy's country. Sooner or later, of course, as we advanced and occupied all of the country, it would be taken, and I would rather see it burned than to have it seized and sent north by any of the sharks who follow in the rear of a conquering army. Pity for these inhabitants, I have none. In the first place, they are rebels, and I am almost prepared to agree with Sherman that a rebel has no rights, not even the right to live except by our permission." — Letters, privately printed, p. 210; see also *Century War Book*, vol. iv. p. 678.

<sup>4</sup> See his *Memoirs*, vol. ii. p. 254.

did their best to stop the depredations of their soldiers, and some punishments were inflicted.<sup>1</sup> From this statement must again be excepted Kilpatrick whose command suffered no restraint and were forward in destruction and pillage.<sup>2</sup> Upon some of his men was visited a summary punishment. Kilpatrick made this report to Sherman : “An infantry lieutenant and seven men were murdered yesterday by the Eighth Texas cavalry after they had surrendered. We found their bodies all together and mutilated with paper on their breasts saying, ‘Death to foragers.’ Eighteen of my men were killed yesterday and some had their throats cut.” Thereupon Sherman ordered Kilpatrick, “to select of his prisoners man for man, shoot them and leave them by the roadside labelled so that our enemy will see that for every man he executes he takes the life of one of his own.” In this same despatch which was written to Howard, Sherman continued : “I want the foragers however to be kept within reasonable bounds for the sake of discipline. I will not protect them when they enter dwellings and commit wanton waste, such as woman’s apparel, jewellery and such things as are not needed by our army ; but they may destroy cotton or tobacco because these are assumed by the rebel government to belong to it and are used as a valuable source of revenue.”<sup>3</sup> Sherman gave notice to Wade Hampton who was now in command of the Confederate cavalry of his intention to retaliate for the murder of Union soldiers, receiving in reply the threat that the Confederates would execute two for one.<sup>4</sup> There is an instance of the punishment of Kilpatrick’s men by an officer of Sherman’s army. Five cavalry-

<sup>1</sup> O. R., vol. xlvii. part ii. pp. 590, 714, 717, 719, 728, 760, 783; Cox’s March to the Sea, p. 176; Force’s Sherman, p. 279.

<sup>2</sup> O. R., vol. xlvii. part ii. p. 590; Cox’s March to the Sea, p. 175.

<sup>3</sup> Feb. 22, 23, O. R., vol. xlvii. part ii. pp. 533, 537.

<sup>4</sup> Feb. 24, 27, ibid., pp. 546, 596. I have not been able to ascertain how many men were executed under these threats ; see ibid., pp. 555, 567, 610.

men who were caught "throwing the furniture of an old woman into the streets and threatening to burn her house," were arrested by a provost-marshal of the Twentieth Corps and "strapped to a tree" for fifteen minutes "with inscriptions on their breasts 'House-breakers,'" <sup>1</sup>

The most notorious occurrence during this march was the partial destruction by fire of Columbia, the capital of South Carolina. February 16, the army reached the neighbourhood of the city which the Confederates evacuated the next day, seeing that an attempt to defend it would be futile. Two days previously (the 15th) Columbia had been placed under martial law but this did not prevent some riotous conduct after night and a number of highway robberies; stores were also broken into and robbed. In disorder and confusion the inhabitants tried to prepare for flight; it was a frantic attempt to get themselves and their portable belongings away before the enemy should enter the city.<sup>2</sup> "A party of Wheeler's cavalry," wrote a correspondent of the Richmond *Whig*, "accompanied by their officers, dashed into town [February 16] tied their horses and as systematically as if they had been bred to the business, proceeded to break into the stores along Main Street and rob them of their contents."<sup>3</sup> Early in the morning of the 17th, the South Carolina railroad depot took fire through the reckless operations of a band of greedy plunderers, who, engaged in robbing "the stores of merchants and planters,

<sup>1</sup> O. R., vol. xlvii. part ii. pp. 554, 590.

<sup>2</sup> Sack and Destruction of Columbia, pamphlet, William Gilmore Simms, p. 10. Simms was in Columbia at the time and this account was printed a little over a month afterwards. See Trent's Simms, p. 280 *et seq.* It will be referred to as Simms; letter from Charlotte to Richmond *Whig*, Feb. 22, printed March 7; Wade Hampton's Testimony, vol. xxiii. p. 41. When Testimony in this account is mentioned, the Testimony before the British and American Mixed Commission in 1872 is meant.

<sup>3</sup> Letter from Charlotte, Feb. 22, published March 7; see also Richmond *Examiner*, Feb. 20; Wade Hampton's Testimony, vol. xxiii. p. 45. The account of Simms, p. 12, is somewhat more favourable to Wheeler's cavalry.

trunks of treasure, wares and goods of fugitives," sent there awaiting shipment, fired, by the careless use of their lights, a train leading to a number of kegs of powder: the explosion which followed killed many of them and set fire to the building.<sup>1</sup> Major Chambliss who was endeavouring to secure the means of transportation for the Confederate ordnance and ordnance stores wrote: "The straggling cavalry and rabble were stripping the warehouses and railroad depots. The city was in the wildest terror."<sup>2</sup>

In the principal street was a pile of cotton bales which had been removed from the warehouses for the purpose of being taken to the open fields near the city where they might be burned with safety. It proved impossible to do this owing to lack of means of transportation; therefore Wade Hampton urged Beauregard, the general in command, to issue an order that this cotton should not be burned lest the fire might spread to the shops and houses which for the most part were built of wood. Such an order was given.<sup>3</sup> Nevertheless before the Federal troops entered the city the rope and bagging of the cotton bales were cut and the cotton was afire. Major Chambliss states that at three o'clock on the morning of February 17, a number of hours before the entrance of the first Union soldiers, "the city was illuminated with burning cotton."<sup>4</sup> Between ten

<sup>1</sup> Simms, p. 12. He states that among the plunderers were "many females and negroes."

<sup>2</sup> O. R., vol. liii. p. 1050.

<sup>3</sup> Letter of Hampton, April 21, 1866, South. Hist. Soc. Papers, March, 1870, p. 156, May, 1870, p. 249; report of Committee of Citizens, *ibid.*, May, 1880, p. 211; Roman's Beauregard, vol. ii. pp. 372, 648 *et seq.*; Wade Hampton's Testimony, vol. xxiii. p. 15; Butler's *ibid.*, p. 25. While, as General F. C. Ainsworth, Chief, Record and Pension Office, advises me Dec. 17, 1900, no such order has been found, I am satisfied it was given, despite the charge of General Sherman that Hampton had ordered all the cotton in the streets to be fired. Report of April 4, 1865, O. R., vol. xlvi. part i. p. 21; Testimony, vol. xiv. p. 91.

<sup>4</sup> Feb. 20, O. R., vol. liii. p. 1050. This is confirmed by Sherman's report of April 4, Howard's, April 1, *ibid.*, vol. xlvi. part i. pp. 21, 198. Testimony

and eleven o'clock the Charlotte depot was fired by the order of General Beauregard.<sup>1</sup>

When on the morning of February 17 the Union troops arrived within about a mile of Columbia, they were met by a carriage displaying a white flag and containing the mayor and three aldermen who surrendered the city to Sherman unconditionally. Colonel George A. Stone, with a brigade of the Fifteenth Corps took possession of the town at about eleven o'clock and raised the United States flag on the state-house. Sherman and Howard riding into the city soon afterwards observed piles of cotton burning and Union soldiers working with citizens to extinguish the fire which was partially subdued.<sup>2</sup> By daylight the next morning two-thirds of Columbia lay in ashes; the entire business portion and the best residences had been destroyed. Sherman maintained that the fire spread to the buildings from the smouldering cotton rekindled by the wind which blew a gale.<sup>3</sup> Howard, with some modification, agrees with his chief;<sup>4</sup> and the account of General Cox whose experience and training fitted him well to weigh the evidence, gives at least a partial confirmation to Sherman's theory of the origin of the fire.<sup>5</sup> But the preponderance of the evidence points to another cause.

When the soldiers of Colonel Stone's brigade entered the city, they were at once supplied by citizens and

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of Howard, Sherman, Audenried, Hazen, C. R. Woods, Logan, vol. xiv. pp. 13, 91, 131, 151, 188, 282; see argument of American Counsel, p. 13. This is denied by Wade Hampton, Roman's Beauregard, vol. ii. p. 650, by the Testimony of Goodwin, Mayor of Columbia, Emeline Squier, Shelton, Stanley, Gibbes, vol. xiv. pp. 14, 17, 19, 22, 25.

<sup>1</sup> Wade Hampton, *ibid.*, vol. xxiii. p. 34.

<sup>2</sup> Sherman's and Howard's reports, O. R., vol. xlvii. part i. pp. 21, 198; their Testimony, vol. xiv. pp. 4, 81.

<sup>3</sup> O. R., vol. xlvii. part i. p. 21; Testimony, vol. xiv. pp. 67, 91; Memoirs, vol. ii. p. 287.

<sup>4</sup> O. R., vol. xlvii. part i. p. 198; Testimony, vol. xiv. p. 13.

<sup>5</sup> The March to the Sea, p. 174; also Nichols, *The Story of the Great March*, p. 166.

negroes with large quantities of intoxicating liquor, brought to them in cups, bottles, demijohns and buckets. Many had been without supper and all of them without sleep the night before and none had eaten breakfast that morning. They were soon drunk, excited and unmanageable. The stragglers and "bummers," who had increased during the march through South Carolina, were now attracted by the opportunity for plunder and swelled the crowd while Union prisoners of war had escaped from their places of confinement in the city and suburbs and, joining their comrades were eager to avenge their real or fancied injuries. Convicts in the jail had in some manner been released. The pillage of shops and houses and the robbing of men in the streets began soon after the entrance of the army. The officers tried to preserve discipline. Colonel Stone ordered all the liquor to be destroyed and furnished guards for the private property of citizens and for the public buildings; but the extent of the disorder and plundering during the day was probably not appreciated by Sherman and those high in command. Stone was hampered in his efforts to preserve order by the smallness of his force for patrol duty and by the drunkenness of his men. In fact the condition of his men was such that at eight o'clock in the evening they were relieved from provost duty and a brigade of the same division, who had been encamped outside the city during the day took their place.<sup>1</sup> But the mob of convicts, escaped Union prisoners, stragglers and "bummers," drunken soldiers and negroes, Union soldiers who were ardent in their desire to take vengeance on South Carolina, could not be controlled. The sack of the city went on and when darkness came the torch was applied to many houses; the high wind carried the flames from building to building until the

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<sup>1</sup> C. R. Woods, Feb. 21, W. B. Woods, March 26, Stone, Feb. 19, O. R., vol. xlyii. part i. pp. 243, 252, 265; C. R. Woods, Feb. 17, *ibid.*, part ii. p. 457.

best part of Columbia — a town of 8000 inhabitants<sup>1</sup> — was destroyed.

Colonel Stone wrote two days afterwards, "About eight o'clock the city was fired in a number of places by some of our escaped prisoners and citizens."<sup>2</sup> "I am satisfied," said General W. B. Woods, commander of the brigade that relieved Stone, in his report of March 26, "by statements made to me by respectable citizens of the town that the fire was first set by the negro inhabitants."<sup>3</sup> General C. R. Woods, commander of the First Division, Fifteenth Corps, wrote February 21: "The town was fired in several different places by the villains that had that day been improperly freed from their confinement in the town prison. The town itself was full of drunken negroes and the vilest vagabond soldiers, the veriest scum of the entire army being collected in the streets."<sup>4</sup> The very night of the conflagration he spoke of the efforts "to arrest the countless villains of every command that were roaming over the streets."<sup>5</sup> General Logan, commander of the Fifteenth Corps, said in his report of March 31: "The citizens had so crazed our men with liquor that it was almost impossible to control them. The scenes in Columbia that night were terrible. Some fiend first applied the torch and the wild flames leaped from house to house and street to street until the lower and business part of the city was wrapped in flames. Frightened citizens rushed in every direction and the reeling incendiaries dashed, torch in hand, from street to street spreading dismay wherever they went."<sup>6</sup> "Some escaped prisoners" wrote General Howard, commander of the right wing, April 1, "convicts from the penitentiary just broken

<sup>1</sup> Census of 1860. Simms states that as Columbia was deemed a secure place of refuge it had doubled in population. He estimates the population at 20,000, the number of houses at 5000, pp. 8, 11, 28.

<sup>2</sup> O. R., vol. xlvii. part i. p. 265.

<sup>3</sup> Ibid., p. 252.

<sup>4</sup> Ibid., part ii. p. 457.

<sup>5</sup> Ibid., p. 243.

<sup>6</sup> Ibid., part i. p. 227.

open, army followers, and drunken soldiers ran through house after house and were doubtless guilty of all manner of villanies, and it is these men that I presume set new fires farther and farther to the windward in the northern part of the city. Old men, women and children with everything they could get were herded together in the streets. At some places we found officers and kind-hearted soldiers protecting families from the insults and roughness of the careless. Meanwhile the flames made fearful ravages and magnificent residences and churches were consumed in a very few minutes.”<sup>1</sup> All these quotations are from Federal officers who were witnesses of the scene and wrote their accounts shortly after the event without collusion or dictation. They wrote, too, before they knew that the question who burned Columbia would be an irritating one in after years. These accounts are therefore the best of evidence. It is not necessary to exclude one in favour of another. All may be believed and they lead us to the conclusion that all the classes named had a hand in the sack and destruction of Columbia.

When the fire was well under way Sherman came upon the scene but gave no orders.<sup>2</sup> Nor was it necessary, for Generals Howard, Logan, Woods and others were labouring earnestly to prevent the spread of the conflagration. Through their efforts together with the change and subsidence of wind the fire was stayed in the early morning of February 18. Columbia, wrote General Howard, was little “except a blackened surface peopled with numerous chimneys and an occasional house that had been spared as if by a miracle.”<sup>3</sup> Science, history and art might well lament the destruction of the house of Dr. Gibbes an antiquarian and naturalist, a scientific acquaintance if not a friend of Agassiz. His

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<sup>1</sup> O. R., vol. xlvii. part i. p. 199.

<sup>2</sup> Testimony, vol. iii. p. 8.

<sup>3</sup> O. R., vol. xlvii. part i. p. 199.

large library, portfolios of fine engravings, two hundred paintings, a remarkable cabinet of Southern fossils, a collection of sharks' teeth "pronounced by Agassiz to be the finest in the world," relics of the aboriginal Americans and others from Mexico, "his collections of historical documents, original correspondence of the Revolution, especially that of South Carolina" were all burned.<sup>1</sup>

The story of quelling the disorder is told by General Oliver: "February 18 at 4 A.M. the Third Brigade was called out to suppress riot; did so, killing 2 men, wounding 30 and arresting 370."<sup>2</sup> It is worthy of note that despite the reign of lawlessness during the night very few, if any, outrages were committed on women.<sup>3</sup> On the 18th Howard issued a peremptory order commanding the "utmost vigilance to prevent at all cost, even to the taking the life of any refractory soldier, a recurrence of the horrors of last night."<sup>4</sup> Discipline was maintained and perfect order prevailed.

Wade Hampton made haste to accuse Sherman of having permitted the burning of Columbia if he did not order it directly;<sup>5</sup> and this charge has since been reiterated by many Southern writers.<sup>6</sup> Sherman's words to Halleck already cited<sup>7</sup> with the addition "I look upon Columbia as quite as bad as Charleston"<sup>8</sup> are quoted to show that the destruction of the city was premeditated. But before his troops made their entrance he issued this order: "General Howard will . . . occupy Columbia, destroy the public buildings, railroad property, manufacturing and machine shops, but will spare libra-

<sup>1</sup> Simms, p. 37; Trent's Simms, p. 281. For a reference of Agassiz to Gibbes, see Agassiz's Life and Correspondence, vol. ii. p. 493.

<sup>2</sup> O. R., vol. xlvi. part i. p. 310.

<sup>3</sup> Simms, p. 29.

<sup>4</sup> O. R., vol. xlvi. part ii. p. 475.

<sup>5</sup> Feb. 27, *ibid.*, p. 596.

<sup>6</sup> Simms, p. 56; South. Hist. Soc. Papers, April, 1879, p. 186; Report of Committee of Columbia Citizens, *ibid.*, May, 1880, p. 210; Roman's Beauregard, vol. ii. p. 369.

<sup>7</sup> *Ante*, p. 88.

<sup>8</sup> O. R., vol. xliv. p. 799.

ries and asylums and private dwellings.”<sup>1</sup> That Sherman was entirely sincere when he gave this order and that his general officers endeavoured to carry it out cannot be questioned. A statement which he made under oath in 1872 indicates that he did not connive at the destruction of Columbia. “If I had made up my mind to burn Columbia,” he declared, “I would have burnt it with no more feeling than I would a common prairie dog village; but I did not do it.”<sup>2</sup> Other words of his exhibit without disguise his feeling in regard to this occurrence which the South has regarded as a piece of wanton mischief.<sup>3</sup> “The ulterior and strategic advantages of the occupation of Columbia are seen now clearly by the result,” said Sherman under oath. “The burning of the private dwellings, though never designed by me, was a trifling matter compared with the manifold results that soon followed. Though I never ordered it and never wished it, I have never shed many tears over the event, because I believe it hastened what we all fought for, the end of the war.”<sup>4</sup> It is true that he feared previous to their entry the burning of Columbia by his soldiers owing to their “deep-seated feeling of hostility” to the town but no general would have forbidden such an army on such a campaign of invasion to occupy the capital city of South Carolina. “I could have had them stay in the ranks,” he declared, “but I would not have done it, under the circumstances, to save Columbia.”<sup>5</sup> Historical and legal

<sup>1</sup> O. R., vol. xlvii. part ii. p. 444.

<sup>2</sup> Testimony, vol. xiv. p. 90.

<sup>3</sup> See, for example, Trent, a moderate and impartial Southern writer. Life of Simms, p. 281.

<sup>4</sup> 1872, Testimony, vol. iii. p. 12.

<sup>5</sup> Testimony, vol. xiv. pp. 98, 102, 103. In the course of my narrative I have indicated nearly all the authorities for this account. There is other matter in the Official Records to which I have not specifically referred. I have gone through a mass of Southern testimony in British and American Mixed Commission, Testimony, vol. xxiii. Sherman’s Memoirs vol. ii., and Force’s Sherman I have of course read with care. See also Ohio in the War, Whitelaw Reid, vol. i. pp. 475, 476; Led On, A. Toomer Porter, p. 152 *et seq.*

canons for weighing evidence are not the same and it is therefore especially gratifying to find them as in this case leading to the same decision. The members of the British and American Mixed Commission (an Englishman, an American and the Italian minister at Washington) having to adjudicate on claims for "property alleged to have been destroyed by the burning of Columbia, on the allegation that that city was wantonly fired by the army of General Sherman either under his orders or with his consent and permission" disallowed all the claims, "all the commissioners agreeing." While they were not called upon to deliver a formal opinion in the case, the American agent was advised "that the commissioners were unanimous in the conclusion that the conflagration which destroyed Columbia was not to be ascribed to either the intention or default of either the Federal or Confederate officers."<sup>1</sup>

February 18 and 19 were employed in the destruction of the arsenal, railroad depots, machine shops, foundries, the armoury with a large quantity of machinery, a powder-mill, storehouses for ammunition and ordnance stores, the gas works and the railroads in the neighbourhood of the city.<sup>2</sup> The destitution in Columbia was great. By order of General Sherman, the mayor was furnished with provisions, salt, and 500 head of cattle to relieve the citizens who were in want and misery; and he was also given 100 stand of arms with ammunition to be used in preserving the peace of the city.<sup>3</sup> On the 20th the army again took up its northward march.

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"Hurrah for Columbia! Isn't Sherman a gem?" wrote Phillips Brooks, Feb. 20, *Life*, by Allen, vol. i. p. 526, but this was before he could have known the circumstances of the burning.

<sup>1</sup> Agent's Report, Foreign Relations, 43d Cong. 1st Sess., vol. iii. p. 50.

<sup>2</sup> Sherman, p. 22, Poe, p. 171, Howard, p. 199, Logan, p. 228, Corse, p. 338, O. R., vol. xlvi. part i.; *ibid.*, part ii. p. 503.

<sup>3</sup> *Ibid.*, pp. 485, 488; Sherman's Memoirs, vol. ii. p. 287. "Augusta, March 16, \$180,000 in money and over \$50,000 worth of provisions have been contributed in this city for the benefit of the Columbia sufferers." — Richmond papers, March 20, O. R., vol. xlvi. part iii. p. 51.

The occupation of Columbia by Sherman compelled the abandonment of Charleston, February 18, by the Confederates. Governor Magrath had pleaded with Davis for re-enforcements that the city might be held; for the loss of Charleston and its connections, he wrote, "added to our other losses will spread dismay, and I fear that such a loss will be taken as proof that our cause is without life or hope and any effectual resistance cannot be prolonged. . . . Give General Hardee the help with which he can oppose General Sherman and I assure you that the spirit of the people will rise again. . . . To retain Richmond until Charleston is lost is to sacrifice both."<sup>1</sup> Efforts were made to collect a force which should be able to resist the Union army but, in view of the steadily advancing host, they seem puny and at any rate were of no avail.<sup>2</sup> When Davis heard that the evacuation of Charleston was necessary he wrote: "I had hoped for other and better results and the disappointment is to me extremely bitter."<sup>3</sup>

In Charleston much property was destroyed, but it was the Confederates who, through accident or design, were the agents of the destruction. The Federal troops on entering the city found public buildings, stores, warehouses, railroad bridges, private dwellings and cotton afire but they afterwards wreaked their vengeance on this cradle of secession by robbery and pillage.<sup>4</sup> Probably the majority of the people at the North had no other idea of the distress of Charleston than that it was abundantly deserved; but the account which Colonel Stewart L. Woodford gave of the condition of this former abode of wealth and refinement<sup>5</sup> may now arouse in us all, as it

<sup>1</sup> Jan. 22, O. R., vol. xlvii. part ii. p. 1035.

<sup>2</sup> Ibid., pp. 1016, 1191, 1250-1255; Reminiscences, Cox, vol. ii. p. 420.

<sup>3</sup> O. R., vol. xlvii. part ii. p. 1201.

<sup>4</sup> Ibid., part i. p. 1019; part ii. pp. 484, 641, 659, 698, 710.

<sup>5</sup> See vol. ii. p. 440. See Henry Adams's description of Charleston in 1800 and the comparison with Boston and Baltimore, Hist. of the U. S., vol. i. p. 38. Charleston had "the traditions of high culture and aristocratic ambition."

did then in those charitably disposed, a feeling of sympathy with the community on whom the horrors of war were visited. "The suffering here is great," wrote Woodford from Charleston March 6, "nor is it confined to the poorer class alone. Charleston is to-day cut off from the back country by the presence of intervening armies. Families who have heretofore derived their income from country estates are now of necessity in want. Others whose property has been gradually absorbed into rebel bonds are penniless. The rebel currency is worthless. Thus many who have been tenderly reared are now suffering. Instances of want come daily and hourly to my notice which I am powerless to alleviate."<sup>1</sup>

To understand the march through South Carolina, the hatred of officers and soldiers for the State which took the lead in the secession movement must be borne constantly in mind. This undoubtedly led many of them to offences which they would not have committed previously in Georgia nor afterwards in North Carolina,<sup>2</sup> while it furnished the stragglers a ready excuse for their robberies and outrages. Sherman testified in 1872 that the desire for vengeance upon South Carolina "pervaded all ranks; officers and all looked upon her as the cause of our woes."<sup>3</sup> February 20, 1865, Howard wrote to Blair and Logan his corps commanders thus: "I desire to call your attention to the fact that some of our soldiers have been committing the most outrageous robberies of watches, jewellery, etc. A case has come to my notice where a watch and several articles of jewellery were stolen by a foraging party under the eye of the commissioned officer in charge. Another, where a brute

<sup>1</sup> O. R., vol. xlvi. part ii. p. 711; see also part iii. p. 94.

<sup>2</sup> Thucydides wrote (Jowett, Book III. 82): "Revolution brought upon the cities of Hellas many terrible calamities, such as have been and always will be while human nature remains the same."

<sup>3</sup> Testimony, vol. xiv. p. 74; also Howard, Hazen, C. R. Woods, Woodhull, ibid., pp. 23, 28, 165, 202, 253; Sherman's Memoirs, vol. ii. p. 254.

had violently assaulted a lady by striking her, and had then robbed her of a valuable gold watch. In one instance money was stolen to the amount of \$150, and another, where an officer with a foraging party had allowed his men to take rings off the fingers of ladies in his presence. To-day a soldier was found plundering, arrested, placed under the guard of one of General Corse's orderlies, and was liberated by some of his comrades who had arms in their hands, and who threatened the life of the guard. These outrages must be stopped at all hazards, and the thieves and robbers who commit them be dealt with severely and summarily. I am inclined to think that there is a regularly organized banditti who commit these outrages and who share the spoils. I call upon you and upon all the officers and soldiers under you, who have one spark of honor or respect for the profession which they follow, to help me put down these infamous proceedings and to arrest the perpetrators."<sup>1</sup> Some punishments were inflicted. Howard directed that a soldier who had violently taken a watch from a citizen should have his head shaved and be drummed out of the service.<sup>2</sup> Force adds another instance<sup>3</sup> and Sherman asserted generally that whenever individuals were detected in theft, they were punished;<sup>4</sup> but in going over the evidence one cannot fail to note many offences and few penalties.<sup>5</sup> Yet despite the general lawlessness of which we obtain glimpses from time to time, outrages on the persons of women were rare. Sherman testified under oath that in the whole of the march he heard of but two cases of rape.<sup>6</sup> But depredations such as Howard complained of continued

<sup>1</sup> O. R., vol. xlvi. part ii. p. 505.

<sup>2</sup> Testimony, vol. xiv. p. 53.

<sup>3</sup> Life of Sherman, p. 279.

<sup>4</sup> Testimony, vol. xiv. p. 53.

<sup>5</sup> General F. C. Ainsworth, Chief, Record and Pension Office, writes me under date of Jan. 28, 1901: "No compilation or tabulation showing the number and causes of the court-martial trials in Sherman's army during his march to the sea and his campaign in the Carolinas has ever been made."

<sup>6</sup> Testimony, vol. xiv. p. 75.

as long as the army was in South Carolina. General Frank P. Blair, Jr., commander of the Seventeenth Corps, reported March 7 "that every house on his line of march to-day was pillaged, trunks broken open, jewellery, silver, etc. taken" and he thought that as the army was about to enter North Carolina, "the people should be treated more considerately."<sup>1</sup> Sherman sent this word to Kilpatrick the same day: "Deal as moderately and fairly by the North Carolinians as possible and fan the flame of discord already subsisting between them and their proud cousins of South Carolina."<sup>2</sup> Orders consistent with these views were given;<sup>3</sup> and it seems probable that the inhabitants of North Carolina were better treated than had been those of the sister State.<sup>4</sup> Nevertheless correction of the bad habits engendered in the soldiery by the system of foraging upon the country was only gradually accomplished<sup>5</sup> and the irregular work of stragglers was not circumscribed by State boundary lines. Three weeks after his troops entered North Carolina, General Oliver made this report: "A large number of mounted men from this corps [the Fifteenth] are stripping the people of everything that can sustain life. I saw families of women, children and negroes who had absolutely nothing to eat and their houses and quarters stripped of everything—cooking utensils, bedding, crockery, etc. Some rascals are beginning to set fire to the deserted houses of those who have fled to Goldsborough (N. C.) — also burning fences."<sup>6</sup>

While considering this question it will be convenient to refer to the evidence of irregularities in Schofield's command, which (with the exception of Terry's force)

<sup>1</sup> O. R., vol. xlvii. part ii. pp. 714, 717.

<sup>2</sup> Ibid., p. 721.

<sup>3</sup> Ibid., pp. 719, 728, 760, 783, 960, 966.

<sup>4</sup> Howard and C. R. Woods testify that there was more property destroyed in South Carolina than in Georgia and North Carolina. Testimony, vol. xiv. pp. 23, 202.

<sup>5</sup> Reminiscences, Cox, vol. ii. p. 456.

<sup>6</sup> O. R., vol. xlvii. part iii. p. 46, also see p. 47.

had come from Thomas's army in Tennessee to Washington by river and rail and from Washington to the vicinity of Wilmington (N. C.) by sea, for the purpose of making a junction with Sherman. The tendency of Federal officers, apart from the contemporary documents, has been to minimize the depredations and the tendency of Northern writers has been to gloss them over, so that even if every instance brought to light by Northern testimony be mentioned, the Union armies will suffer no injustice by the seeming redundancy of facts. So much of the Southern evidence lacks specificness and all of it is so pervaded with intensity of feeling that I have preferred to develop this subject from Northern sources leaving the natural inference to be drawn that if all had been told the evidence against Sherman's army would have been somewhat greater. "The authority of the government is weakened and brought into contempt," wrote General Joseph R. Hawley from Wilmington<sup>1</sup> April 1, "by the impunity with which stragglers, deserters from either army, marauders, bummers and strolling vagabonds, negroes and whites commit outrages upon the inhabitants. To say nothing of insults and plundering, there have been three cases of rape and one of murder, to say nothing of rumors of others."<sup>2</sup> General J. D. Cox, who commanded the Twenty-third Corps in Schofield's army, executed the death sentence pronounced by court-martial for a rape, the culprit, according to his recollection, being a bounty jumper;<sup>3</sup> and he had evidence after the war of robberies and even partial hanging to extort the disclosure of a place where money and valuables were hidden.<sup>4</sup> A private of the Ninth Michigan cavalry

<sup>1</sup> Wilmington was occupied by the Union troops, Feb. 22.

<sup>2</sup> O. R., vol. xlvii. part iii. p. 79.

<sup>3</sup> This was a private of the Twelfth New York cavalry. He was shot March 31 for committing a rape on or about March 16, War Department Archives.

<sup>4</sup> Private letter of Feb. 20, 1900; see also Cox's Reminiscences, vol. ii. p. 458, and his references to O. R.

being found guilty of the murder of a North Carolina citizen was "shot to death with musketry."<sup>1</sup> The men who followed Sherman were probably more humane generally than those in almost any European army that marched and fought before our Civil War, but any invading host in the country of the enemy is a terrible scourge. On the other hand there is considerable Southern evidence of depredations committed by Wheeler's cavalry;<sup>2</sup> but Wheeler denied these, writing to Bragg February 9, "I now have positive proofs that the many and grave charges made against my command are basely false."<sup>3</sup>

Sherman reached Fayetteville (N. C.) March 11 and, by means of a steam-tug which had come up the Cape Fear River from Wilmington, was placed in communication with Schofield and therefore with Grant and Stanton.<sup>4</sup> Up to February 22, Grant, through the Richmond newspapers, had kept pretty well informed of Sherman's progress but on that day the newspapers were requested by the authorities not to publish any news connected with the pending military movements in the Carolinas, so that afterwards he could cull from them only meagre and unsatisfactory information.<sup>5</sup> "We are anxiously waiting intelligence from Sherman and Schofield," wrote

<sup>1</sup> He committed the murder May 9th and was executed the 13th, O. R., vol. xlvii. part iii. p. 470; see also p. 450; letters from General F. C. Ainsworth, Jan. 28, 29, 1901, who says further: "It may be stated positively that there is no record of the death penalty having been inflicted for any offence committed by any officer or soldier while a member of Sherman's army [as distinct from Schofield's] during the march to the sea or during the campaign in the Carolinas."

<sup>2</sup> O. R., vol. xlvii. part ii. pp. 1046, 1047, 1068, 1177, 1203, 1283.

<sup>3</sup> Ibid., p. 1135, also pp. 987, 1004; part i. p. 1120; Reminiscences, Cox, vol. ii. p. 425. The Raleigh *Progress* of March 20, cited by Richmond *Sentinel*, March 24, said that Wheeler's cavalry had been unjustly abused.

<sup>4</sup> O. R., vol. xlvii. part ii. p. 793 *et seq.* "No sooner had we reached the Cape Fear River at Fayetteville than a little, squeaking tug came puffing up the river with news." — April 5, 1865, Sherman's letters to his wife, MS.

<sup>5</sup> Reminiscences, Cox, vol. ii. p. 448, note 1; O. R., vol. xlvii. part ii. pp. 526, 595, 643, 659, 712, 753.

Stanton March 5 from Washington.<sup>1</sup> The first direct word from Sherman since he left Savannah was of March 8, a despatch sent by him to Wilmington and forwarded by Schofield four days later to Grant;<sup>2</sup> but this could have arrived at City Point<sup>3</sup> only shortly before his fuller despatches to Stanton and Grant of the 12th from Fayetteville which reached their destination on the 16th. "Here," [Fayetteville] he wrote, "we find about twenty guns and a magnificent U. S. arsenal. We cannot afford to leave detachments and I shall therefore destroy this valuable arsenal, for the enemy shall not have its use, and the United States should never again confide such valuable property to a people who have betrayed a trust."<sup>4</sup> The Michigan engineers battered down the masonry walls of the arsenal, broke to pieces all the machinery, much of which had been brought from Harper's Ferry at the beginning of the war, fired the heap of rubbish made by the demolition of the machine shops and foundries and applied the torch to all wooden buildings and piles of lumber and also to the powder trains leading to two large magazines. In two hours all these works were reduced to ashes.<sup>5</sup> In his letter to Grant, Sherman said, "The army is in splendid health, condition and spirit although we have had foul weather and roads that would have stopped travel to almost any other body of men I ever read of."<sup>6</sup> To Stanton he told what in his opinion were the salient features of his campaign. "Charleston . . . and Wilmington are incidents," he wrote, "whilst the utter demolition of the

<sup>1</sup> Ibid., vol. xlvi. part ii. p. 841. "I hoped before to-day," wrote Phillips Brooks, March 4, "we should have heard from Sherman definitely. It has been a very anxious week. I cannot feel he is in any great danger, but it will certainly be a great relief when we get certain news." — Life, by Allen, vol. i. p. 528.

<sup>2</sup> O. R., vol. xlvii. part ii. pp. 735, 791, 799.

<sup>3</sup> Grant's headquarters.

<sup>4</sup> O. R., vol. xlvii. part ii. p. 794.

<sup>5</sup> Report of Captain O. M. Poe, ibid., part i. p. 171.

<sup>6</sup> Ibid., part ii. p. 794.

railroad system of South Carolina, and the utter destruction of the enemy's arsenals at Columbia, Cheraw and Fayetteville are the principles of the movement. These points were regarded as inaccessible to us and now no place in the Confederacy is safe against the Army of the West.”<sup>1</sup>

“Up to this period,” said Sherman in his report, “I had perfectly succeeded in interposing my superior army between the scattered parts of my enemy.”<sup>2</sup> As early as March 5, while at Cheraw, he had learned that Joseph E. Johnston had been placed in command of all of the troops in the Carolinas.<sup>3</sup> This assignment had been made February 22 by Lee, Commander-in-Chief<sup>4</sup> and was notice to the Union army that something more than skirmishing might henceforward be expected.<sup>5</sup> Sherman called him “the skilful and experienced Joe Johnston” and added that the conditions would “justify me in extreme caution in making the last step necessary to complete the march I had undertaken.”<sup>6</sup> Before the Union troops reached Fayetteville the Confederates under Bragg with the permission and assistance of Johnston as part of a “boldly conceived”<sup>7</sup> plan of his had fought Schofield at Kingston<sup>8</sup> in the endeavour to prevent or delay his junction with Sherman, but the check to his advance was only temporary.<sup>9</sup> Johnston afterwards made a stand at Averasborough which brought on a battle March 16 with Sherman’s army marching northward from Fayetteville. Three days later having concen-

<sup>1</sup> O. R., vol. xlvii. part ii. p. 793.

<sup>2</sup> Ibid., part i. p. 23. This period is March 12, 13, 14, which Sherman passed at Fayetteville.

<sup>3</sup> Ibid., part ii. pp. 686, 691; Sherman’s Memoirs, vol. ii. p. 292.

<sup>4</sup> O. R., vol. xlvii. part ii. pp. 1248, 1257, 1274, 1334.

<sup>5</sup> See Cox’s *March to the Sea*, p. 182.

<sup>6</sup> O. R., vol. xlvii. part. i. p. 23.

<sup>7</sup> Reminiscences, Cox, vol. ii. p. 428.

<sup>8</sup> Schofield was operating from New Berne for the capture of Goldsborough, O. R., vol. xlvii. part i. p. 911.

<sup>9</sup> Ibid., part ii. pp. 744, 1354; Reminiscences, Cox, vol. ii. p. 433; Johnston’s Narrative, p. 379.

trated his troops he assumed the active offensive and attacked Sherman at Bentonville with a temporary success according to his own account.<sup>1</sup> But his force was too small to gain any decided or permanent advantage and Sherman was able to complete his march pretty much as he had planned it. March 21 Schofield reached Goldsborough (N.C.), where two days later Sherman's army made with him the junction desired.<sup>2</sup> "Were I to express my measure of the relative importance of the march to the sea and of that from Savannah northward," wrote Sherman in his Memoirs, "I would place the former at one and the latter at ten or the maximum."<sup>3</sup> He might have continued in the words of Napoleon written during his Austrian campaign, "I have destroyed the enemy merely by marches."<sup>4</sup>

Sherman himself went to City Point to have a con-

<sup>1</sup> O. R., vol. xlvii. part i. p. 1054; see part ii. p. 949.

<sup>2</sup> Ibid., part i. p. 28; part ii. pp. 942, 969. "We had hardly spread out in the camps about Goldsboro than the locomotives and trains came thundering along from the sea 96 miles distant loaded with shoes and pants and clothing as well as food. So remarkable and happy a coincidence which of course I had arranged for at Savannah made the woods resound with a yell that must have reached Raleigh. Some of our officers who escaped from the enemy say that these two coincidences made the rebel officers swear that I was the devil himself." — April 5, 1865, Sherman's letters to his wife, MS.

<sup>3</sup> Vol. ii. p. 221. Sherman declared in 1872: "No single event in the war made such demoralization in the rebel ranks as the passage of my army through South and North Carolina and no other event acted so promptly to produce a cessation of hostilities." — Testimony, vol. iii. p. 12. "I regard my two moves from Atlanta to Savannah and Savannah to Goldsboro as great blows as if we had fought a dozen successful battles." — March 26, 1865, Sherman's letters to his wife, MS. Sherman said, Dec. 22, 1865: "The march to the sea seems to have captivated everybody whereas it was child's play compared with the other [the march north from Savannah]."—Sherman's Letters, p. 260. Schofield wrote in his Forty-six Years, p. 348: "Considered as to its military results, Sherman's march [through the Carolinas] cannot be regarded as more than I have stated—a grand raid. The defeat and practical destruction of Hood's army in Tennessee was what paved the way to the speedy termination of the war, which the capture of Lee by Grant fully accomplished; and the result ought to have been essentially the same as to time if Sherman's march had never been made."

<sup>4</sup> Sloane, vol. ii. p. 235.

sultation with Grant and there met President Lincoln. The three had two interviews, one on the afternoon of March 27 and the other the next day when they discussed the past operations, the harbingers of their success<sup>1</sup> and the approaching end of the war. Lincoln and Sherman did most of the talking while Grant listened and ruminated. According to Sherman's recollection of the interviews the two generals were agreed in their opinion that one or the other of them "would have to fight one more bloody battle and that it would be the *last*." Lincoln felt that enough of blood had been shed and asked "if another battle could not be avoided," to which Sherman made answer that they "could not control that event"; it rested with Jefferson Davis and General Lee whether or not the two armies should meet again in a "desperate and bloody battle."<sup>2</sup>

In truth these masters of state and war — the three men to whom above all others we owe the successful termination of the conflict — could not without gladness review the military operations of the last year and look forward to the promise of the future; but they appreciated too well the magnitude of the business in hand to give way to undue elation. As in May, 1864 Grant was confronted by Lee and Sherman by Johnston;<sup>3</sup> but Grant had fought his way from the Rapidan to the James and the Appomattox, while Sherman had struggled from Dalton to Atlanta, made a holiday progress to the sea, and contending with the elements and the remnants of the Confederate armies, completed his march northward where now, at Goldsborough (N. C.) with 80,000 men<sup>4</sup> he was making ready to advance against John-

<sup>1</sup> "There is no doubt we have got the rebels in a tight place." — March 26, 1865, Sherman's letters to his wife, MS.

<sup>2</sup> Sherman's Memoirs, vol. ii. pp. 326–331; Campaigning with Grant, H. Porter, *Century Magazine*, Sept., 1897, p. 739.

<sup>3</sup> See vol. iv. p. 440.

<sup>4</sup> O. R., vol. xlvii. part i. p. 43.

ston, who lay between him and Raleigh with an army of about 33,000.<sup>1</sup> In other parts of the theatre of war, there were large and well-appointed Union forces bent on aggressive operations, working under the efficient direction of Grant, with the common purpose of dealing the enemy final blows.<sup>2</sup> But it was confidently believed that if Lee and Johnston could be forced to surrender, the rest of the military resistance would collapse.

In this final encounter the generals were well matched in intellectual ability but the material resources on the Union-side were vastly greater. Yet the latent power of resistance in soldiers, skilfully and honestly led, who believe that they are fighting against the subjugation of their people, must be rated high, as so many instances in history attest. The more profound the study of the last days of the Confederacy, the firmer will be the conviction that the best of management was required of the North to assure the end of the war in the spring of 1865. In one respect fortune had signally favoured the Union. Distributing in the last two years of the war the favours of military skill with an equal hand, she had given the United States a great ruler. Manifestly superior as had been the advantages of Davis in family, breeding, training and experience, he fell far below Lincoln as a compeller of men. We have seen Lincoln in times of adversity and gloom and have marvelled at his self-effacement and we have seen him listening to words of advice, warning and even reproof such as are rarely spoken to men wielding immense power; and throughout he has preserved his native dignity and emerged from nearly every trial a stronger and more admirable

<sup>1</sup> Roman's Beauregard, vol. ii. p. 337; Cox's *March to the Sea*, p. 169; Force's Sherman, p. 270. Accuracy is not attainable. An analysis of the evidence with many references to O. R. will be found in Cox's *Reminiscences*, vol. ii. pp. 423, 424, 444, 530, 531.

<sup>2</sup> See Grant's report, O. R., vol. xlvi. part i. p. 49.

man. Davis on the other hand could not repress his egoism in a period of distress. It will be remembered that he had a poor opinion of Joseph E. Johnston's generalship.<sup>1</sup> January 18 the Confederate Congress passed a concurrent resolution asking their President to restore Johnston to his old command affirming that in their judgment the appointment will "be hailed with joy by the army and will receive the approval of the country."<sup>2</sup> Davis himself admitted that the return of Johnston to the army was a general desire of his countrymen the expression of which had reached him with remarkable force and from sources entitled to his respect and confidence. Nevertheless he refused to make the appointment; and to justify himself with the people he wrote for transmission to Congress a paper covering eight closely printed pages which though useful as an academic essay was out of place as a communication from the head of a government to his legislative body during a period of so manifest danger as that which threatened the Southern Confederacy in February, 1865.<sup>3</sup> This paper however was never sent to his Congress. Four days after it was written Lee as General-in-Chief made the assignment of Johnston to his command.<sup>4</sup>

Grant appears at his best in the final operations of his army. He is the Grant of Donelson, Vicksburg and Chattanooga with the judgment developed through larger experience and the discipline of adversity. The full reports and detailed despatches admit us to the actual operations of his mind as he surveys the vast field over which his armies, always in touch with him, move to their several tasks in his grand strategy. He combined self-confidence with caution. He did not

<sup>1</sup> Vol. iii. p. 459; vol. iv. p. 511.

<sup>2</sup> O. R., vol. xlvi. part ii. p. 771. For indications of public sentiment see *ibid.*, p. 784, vol. lii. part ii. p. 808.

<sup>3</sup> The date of the paper is Feb. 18, O. R., vol. xlvii. part ii. p. 1304.

<sup>4</sup> *Ante*, p. 106.

underestimate his enemy; he did not, as he perceived the successful operation of his plans, give way to elation thinking the work was done when it was only half done. But he was not so cautious that he did not move forward boldly without fear of the result.<sup>1</sup> In Sherman and Sheridan he had helpers on whom he could rely as if each were another self. Seeing things alike they were in complete sympathy with him; they comprehended his orders and carried them out in letter and in spirit as did no other of his subordinates. Sherman's marching and fighting were now over but Sheridan was to be to Grant a prop and a weapon such as Stonewall Jackson had been to Lee in his earlier campaigns. With the force immediately under him Grant had besides Sheridan an efficient coadjutor in Meade and good corps commanders in Warren,<sup>2</sup> Humphreys, Ord, Wright and Parke. At the commencement of the Appomattox campaign he had in this army 113,000 men while Lee mustered 49,000.<sup>3</sup>

Since the summer of 1864 Grant had besieged Richmond and Petersburg. The progress of the siege had been slow but persistent until soon after the middle of February Lee began to consider the eventuality of abandoning both cities.<sup>4</sup> While in the freedom of private conversation he may have expressed himself in a despairing tone<sup>5</sup> he manifested in his despatches the belief that there was a chance in fighting on and he

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<sup>1</sup> The words which Goethe used of Napoleon may be applied to Grant: "Napoleon war darin besonders gross dass er zu jeder Stunde derselbige war. Vor einer Schlacht, während einer Schlacht, nach einem Siege, nach einer Niederlage, er stand immer auf festen Füssen und war immer klar und entschieden was zu thun sei. Er war immer in seinem Element."—Gespräche von Eckermann, 7 April, 1829.

<sup>2</sup> Warren was relieved from the command of his corps early in the campaign but my general purpose does not require a discussion of this incident.

<sup>3</sup> T. L. Livermore, *Numbers and Losses*, pp. 135-137.

<sup>4</sup> O. R., vol. xlvii. part i. p. 1044; vol. xlvi. part ii. pp. 1244, 1247, 1295.

<sup>5</sup> *Ante.* p. 76.

made it evident that he would resist the foe as long as resistance was possible unless he were advised to yield by the superior civil authority. He infused an energy into his sortie of March 25 which though the attempt was unsuccessful demonstrated that there was still a great deal of fight in him and his army. The Union lines did not encircle Richmond and Petersburg. An avenue of escape was open to the west and southwest. The Richmond and Danville Railroad and its Petersburg connection, the Southside or Lynchburg Railroad which were the lines of supply for Richmond and Petersburg, were in operation. Grant "spent days of anxiety" lest Lee should abandon these places and, after getting away from him, either make a junction with Johnston or, retreating by the way of Lynchburg, secure himself in the fastnesses of the mountains and make a raid into East Tennessee. Should the two Confederates unite their forces he feared "a long, tedious and expensive campaign consuming most of the summer."<sup>1</sup> Lee considered the two alternatives and preferred the union with Johnston; but, if Davis's memory may be trusted, Lee "never contemplated surrender" but, emulating a plan of Washington conceived in desperation,<sup>2</sup> proposed as a last resort to retreat to the mountains of Virginia where he thought that he might carry on the war for twenty years.<sup>3</sup> Taking all conditions into account the game was equal and was played with skill on each side.

March 29 Grant began his movement on his left and at night had an unbroken line from the Appomattox River to Dinwiddie Court-House. From his headquarters in the field he wrote to Sheridan: "I now feel like ending the matter if it is possible to do so without going

<sup>1</sup> O. R., vol. xlvi. part i. pp. 47, 50, 52.

<sup>2</sup> The American Revolution, Trevelyan, part ii. vol. ii. p. 83; Sparks, chap. ix.

<sup>3</sup> Confederate Government, vol. ii. p. 656. The correspondence gives support indirectly to Davis's recollection.

back.”<sup>1</sup> Two nights and a day of heavy rain interrupted operations but on the 31st the advance was resumed when Lee attacked the Fifth Corps and the Union cavalry and gained a temporary success. Sheridan in falling back, wrote Grant, “displayed great generalship.”<sup>2</sup> April 1 Sheridan fought in a masterful way the Battle of Five Forks which resulted in disaster to the Confederates. “He has carried everything before him” is Grant’s account of this action.<sup>3</sup> The General-in-Chief received the intelligence of the victory of Five Forks at nine in the evening and immediately ordered an assault on the enemy’s lines which was made at an early hour the next day.<sup>4</sup> At 6.40 on the morning of April 2 he sent this despatch for the information of the President who was at City Point: “Both Wright and Parke got through the enemy’s lines. The battle now rages furiously;” and that evening he felt pretty sure that he would have Petersburg on the morrow. He gave an account of the day’s operations to Sherman: “The mass of Lee’s army was whipped badly south of Petersburg. . . . Sheridan with his cavalry and one corps of infantry was on our extreme left. The attack which ended the contest was made in the centre. All to the right of the point of attack were forced into Petersburg or killed or captured. Those to the left of it were cut off and forced to retreat up the Appomattox. Sheridan pushed in and intercepted them forcing them to the north side and with great loss. . . . This army has now won a most decisive victory and followed the enemy. This is all that it ever wanted to make it as good an army as ever fought a battle.”<sup>5</sup>

Let Lee on his side tell the result of the fighting of

<sup>1</sup> O. R., vol. xlvi. part i. p. 53.

<sup>2</sup> Ibid., p. 54.

<sup>3</sup> Ibid., part iii. p. 394.

<sup>4</sup> Ibid., p. 397 *et seq.*, part i. p. 54; Campaigning with Grant, H. Porter, *Century Magazine*, Sept. 1897, p. 746.

<sup>5</sup> O. R., vol. xlvi. part iii. pp. 448, 449, 458, 510.

April 2. He wrote in a despatch which reached Richmond at 10.40 in the morning: "I see no prospect of doing more than holding our position here till night. I am not certain that I can do that. If I can I shall withdraw to-night north of the Appomattox, and, if possible, it will be better to withdraw the whole line to-night from James River."<sup>1</sup> He explained that the Union troops had broken through his lines cut his army asunder and interposed themselves between the two parts. "Our only chance, then," he continued, "of concentrating our forces, is to do so near Danville Railroad, which I shall endeavor to do at once. I advise that all preparation be made for leaving Richmond to-night."<sup>2</sup> In a despatch which was received in Richmond at seven o'clock in the evening he said: "It is absolutely necessary that we should abandon our position to-night, or run the risk of being cut off in the morning."<sup>3</sup> On the night of April 2 Lee evacuated Richmond and Petersburg, with the intention of concentrating his troops at Amelia Court-House, and making his way to Danville whence he would effect a junction with Johnston's army. After him, next morning, followed the Union forces in eager pursuit.

At an early hour April 3 a brigade of the Ninth Corps, Army of the Potomac, took possession of Petersburg, and the President, who was still at City Point, telegraphed to Stanton that he was going to the front to see General Grant. The despatch drew from the Secretary these anxious words: "Allow me respectfully to ask you to consider whether you ought to expose the nation to the consequence of any disaster to yourself in the pursuit of a treacherous and dangerous enemy like the rebel army." In the afternoon Lincoln replied: "Thanks for your caution but I have already been to

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<sup>1</sup> O. R., vol. xlvi. part i. p. 1264.

<sup>2</sup> Ibid., part i. p. 1264.

<sup>3</sup> Ibid., p. 1265.

Petersburg. Stayed with General Grant an hour and a half and returned here. It is certain now that Richmond is in our hands and I think I will go there to-morrow. I will take care of myself."<sup>1</sup>

Although at different times since February 20 alarm had been felt for the fate of the capital,<sup>2</sup> the Richmond newspapers for four days preceding the evacuation gave no idea of the impending disaster. "Failure," said the *Whig* of March 30, "attends Grant in all his plans and enterprises." The Richmond *Dispatch* appeared Saturday, April 1 for the last time in the Southern Confederacy. This Journal for that day and previously and the other journals for March 29, 30, 31<sup>3</sup> convey the impression that matters in the city were going on much the same as for many months past. The advertisements in their columns indicate a fairly permanent state of society in which plans pertaining to the common affairs of life are laid ahead. Candidates put themselves forward in "election notices" for the different offices at the next municipal election and beg the support of their fellow-citizens. A teacher of music, a dressmaker and a chiropodist ask for business patronage. There are marriage and death notices, even "personals." In the country is wanted a teacher "competent to teach the English language." Houses and rooms are advertised to rent. March 21 Jones notes "many red flags" which are auction notices "for sales of furniture and the renting of houses to the highest bidders." The owners

<sup>1</sup> O. R., vol. xlvi. part iii. pp. 508, 509. Lincoln's first despatch is 8.30 A.M.; Stanton's 10.30 A.M.; Lincoln's second, 5 P.M. For an interesting account of the interview between Lincoln and Grant, see Horace Porter, *Century Magazine*, Sept., 1897, p. 749.

<sup>2</sup> Jones's Diary, vol. ii. pp. 427, 435, 439, 442, 453; O. R., vol. xlvi. part ii. pp. 1287-1289.

<sup>3</sup> The Boston Athenæum has the *Dispatch* of April 1, the *Enquirer*, *Examiner*, *Whig* and *Sentinel* of March 31. The *Enquirer*, *Examiner* and *Sentinel* for March 31 appeared on half a sheet. No Sunday papers were then issued in Richmond.

he says have postponed offering their property "until the last moment" in order to take advantage of some favourable turn in affairs to realize the "extortionate prices" that they demanded. He thinks they will get what they ask on account "of Johnston's success,<sup>1</sup> which revives the conviction that Richmond will not be evacuated."<sup>2</sup> The *Dispatch* of April 1 advertises real estate for sale, an auction of 1000 books to take place Wednesday, April 5, and other auctions on several days of the coming week. March 30, the mayor's court deals with petty offences; and in a higher court a man convicted of "voluntary manslaughter" is sent to the penitentiary for three years. Regular trains for Danville and Lynchburg are announced as late as April 1, and there are other indications of travellers arriving from the South; but three days earlier the notice of trains northward on the Richmond and Potomac Railroad failed to appear in the *Dispatch*. Of the six or seven hotels only two — the Spotswood and American — remained open.<sup>3</sup> Public entertainments continue as usual. If you are charitably disposed you can go to a concert at St. James's church for the benefit of the orphans. The Richmond theatre is open, the play being a dramatization of "Aurora Floyd," and other attractions are promised for next week. At another place of amusement "Budd and Buckley's Minstrels and Brass Band" are "received nightly with shouts of applause"; but here is a reminder of the cordon drawing around the Confederacy in the notice ending, "Highest price paid for old and new cork at the hall." The most curious advertisements are those connected with the institution of slavery. There is printed a list of slaves, thirty-nine in number, remaining at the Eastern District Military prison, Richmond. Rewards offered for the return of

<sup>1</sup> At Bentonville, a temporary success which was exaggerated in the Confederacy.

<sup>2</sup> Diary, vol. ii. p. 455.

<sup>3</sup> O. R., vol. xlvi. part iii. p. 3.

runaway slaves are common. Besides those of the usual sort in the time of peace are some growing out of the state of war. One owner offers “\$5000 reward for the capture of sixteen negroes who ran off from my plantation in Buckingham . . . for the purpose of joining the enemy in his recent raid”; another desires information of “three negro boys seized and carried off by the Yankees.” Yet there are many still in bonds. Slaves are offered for hire, a characteristic notice being, “For hire, a negro woman, a good washer and ironer for the remainder of the year.” There are persons willing to exchange their Confederate paper money for negroes. Advertisements frequently appearing from two different parties are, “Wanted to purchase a good cook.” Other property owners are willing to sell their slaves. One notice runs “For sale privately, a qualified servant woman, twenty-eight years old with three healthy children. . . . The woman is a No. 1 house servant, fine seamstress and sold for no fault.” There is still considerable buying and selling, writes Jones in his Diary of March 22, for what are called “dollars,” and although slave property is manifestly precarious “yet a negro man will bring \$10,000 at auction” which, however, is equivalent to only about \$100 in coin.<sup>1</sup>

The newspapers during these last days of the Confederacy furnish striking instances of devotion to the declining cause. Under authority of a joint resolution of Congress the Secretary of the Treasury asked for contributions to the public treasury, and received a noteworthy response. He himself gave \$100,000 in bonds and the same amount in currency and Benjamin, the Secretary of State, gave \$7500 in bonds. A North Carolina soldier’s wife contributed her mite of \$50 in Confederate money (worth about fifty cents in silver). A gentleman of North Carolina sent a diamond

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<sup>1</sup> Vol. ii. p. 457.

ring and \$221.40 in coin. Some North Carolina and Virginia women gave their jewels and silver plate. In reading the list of articles of use and of ornament, one may imagine that among them were keepsakes, family presents and many trifling objects dear to womankind. In itself it is a prosaic roll, but as each little thing is the symbol of tears and of hopes it is impossible to read it without emotion.<sup>1</sup>

As late as April 1, Davis apparently thought that there was no immediate necessity for the abandonment of Richmond.<sup>2</sup> On the morning of the 2d, which was Sunday, he was at St. Paul's listening to the noble liturgy of the Episcopal Church, when the clergyman was reading for the last time in his ministry the prayer for the President of the Confederate States. Here Davis was apprised by a messenger from the War Department of the gravity of the military situation. He left his pew quietly and walked out of the church with dignity, learning soon the contents of Lee's despatch which gave an account of his disaster and advised that Richmond be abandoned.<sup>3</sup> The news spread rapidly, and so unexpectedly had it come upon the city that the greatest confusion and excitement prevailed as functionaries and citizens made ready for flight.<sup>4</sup> Davis with all the members of his cabinet except Breckinridge, a number of his staff and other officials, got away at eleven o'clock in the evening on a train of the Richmond and Danville Railroad and

<sup>1</sup> Jones, under date of March 19 says these offerings were not general. Vol. ii. p. 453. This account except where Jones is specifically cited is made up from the Richmond *Dispatch* of March 29, 30, 31, April 1 and from the Richmond *Examiner*, *Whig*, *Enquirer*, and *Sentinel* of March 29, 30, 31.

<sup>2</sup> See letter to Lee, O. R., vol. xlvi. part. iii. p. 1370.

<sup>3</sup> *Ante*, p. 114; letter to Mrs. Davis, April 5, *Life*, by Mrs. Davis, vol. ii. p. 584; Davis's Confederate Government, vol. ii. pp. 655, 667; *Life of Davis*, Alfriend, p. 619; Longstreet's From Manassas to Appomattox, p. 607; Papers of Secretary Mallory, *McClure's Magazine*, Dec. 1900, p. 100.

<sup>4</sup> Jones, vol. ii. p. 465.

reached Danville the next afternoon in safety.<sup>1</sup> Under a previous order of Lee<sup>2</sup> Ewell who was in command of the troops in Richmond directed that the tobacco in the city should be burned and that all stores which could not be removed should be destroyed. It is probable that the fires lighted in pursuance of this order spread to shops and houses and it is certain that a mob of both sexes and colours in the early morning of April 3 set fire to buildings and "began to plunder the city." Ewell says in his report that by daylight the riot was subdued and Jones writes that at seven o'clock in the morning men went to the liquor shops in execution of an order of the city government and commanded that the spirits be poured into the streets. The gutters ran with liquor from which pitchers and buckets were filled by black and white women and boys. By seven o'clock also the evacuation of Richmond by the Confederates had been completed.<sup>3</sup>

The Union troops passed cautiously the first line of Confederate works but as they met with no opposition, they went by the next lines at a double-quick, and when the spires of the city came into view, they unfurled the national banner, and, their bands striking up "Rally round the flag," they sent up cheer on cheer as they marched in triumph through the streets.<sup>4</sup> But they found confusion, an extensive conflagration, and a reign of pillage and disorder. Their commander Weitzel received the surrender of Richmond at the city hall at quarter past eight, and, by two o'clock in the afternoon they had quelled the tumult and put out the fires but not before a considerable portion of the city had been destroyed.<sup>5</sup>

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<sup>1</sup> Mallory's Papers, pp. 102-105.

<sup>2</sup> O. R., vol. xlvi. part ii. pp. 1260, 1261.

<sup>3</sup> Report of Ewell, Dec. 20, O. R., vol. xlvi. part i. p. 1202, of Kershaw, Oct. 9, *ibid.*, p. 1283; Jones, vol. ii. p. 467 *et seq.*; Century War Book, vol. iv. p. 725. <sup>4</sup> Charles Warren, April 7, O. R., vol. xlvi. part i. p. 1213.

<sup>5</sup> Report of Weitzel, April 17, O. R., vol. xlvi. part i. p. 1227; despatch of April 3, *ibid.*, p. 509; Jones, vol. ii. pp. 469, 470.

The Union soldiers were received by the white people gratefully and by the negroes with joy.<sup>1</sup> Full of meaning was the visit of President Lincoln to Richmond which was made from City Point the next day in an unostentatious and careless manner and in utter disregard of Stanton's warning.<sup>2</sup> Proper arrangements for his conveyance and escort had been made but, owing to two accidents, the President completed his river journey in a twelve-oared barge and walked about a mile and a half through the streets of Richmond accompanied by Admiral Porter and three other officers with a guard of only ten sailors armed with carbines. He was received with demonstrations of joy by the negroes and, though the city was full of drunken Confederates, he met with neither molestation nor indignity. He went to the house which Davis had occupied as a residence, now the headquarters of Weitzel and, if we may believe some personal recollections, he looked about the house and sat in Davis's chair with boyish delight.<sup>3</sup> Lincoln passed the night in Richmond and April 5 returned to City Point. Under that date Jones reported perfect order in the city and Dana telegraphed from Richmond, "*Whig* appeared yesterday as Union paper" and the "theatre opens here to-night."<sup>4</sup>

Now the Confederates had evacuated Richmond and Petersburg during the night of April 2 and the early morning of the 3d. Grant without tarrying for a visit to Richmond set after them in hot pursuit. On the 4th he sent this despatch to Stanton from Wilson's Station: "The army is pushing forward in the hope of overtaking or dispersing the remainder of Lee's army. Sheri-

<sup>1</sup> Weitzel, April 3, O. R., vol. xlvi. part iii. p. 509; Charles Warren, April 7, *ibid.*, part i. p. 1213; Jones, vol. ii. p. 468.

<sup>2</sup> *Ante*, p. 114.

<sup>3</sup> Nicolay and Hay, vol. x. p. 216 *et seq.*; *Century Magazine*, June, 1890, p. 307; *Century War Book*, vol. iv. p. 726; Jones, vol. ii. p. 471; O. R., vol. xlvi. part iii. p. 575.

<sup>4</sup> Jones, vol. ii. p. 471; O. R., vol. xlvi. part iii. p. 575.

dan with his cavalry and the Fifth Corps is between this and the Appomattox; General Meade with the Second and Sixth following; General Ord is following the line of the South Side Railroad.”<sup>1</sup> On the next day Sheridan reported that the “whole of Lee’s army is at or near Amelia Court-House.”<sup>2</sup> Lee gives this account: “Upon arriving at Amelia Court-House on the morning of the 4th with the advance of the army, on the retreat from the lines in front of Richmond and Petersburg, and not finding the supplies ordered to be placed there, nearly twenty-four hours were lost in endeavoring to collect in the country subsistence for men and horses. This delay was fatal and could not be retrieved.”<sup>3</sup> On moving forward on the 5th, his troops, “wearied by continual fighting and marching” and not able to obtain rest or refreshment, found that Sheridan had possession of the Richmond and Danville Railroad which cut off their retreat to Danville, therefore they were ordered to march towards Lynchburg. From Jetersville Sheridan telegraphed Grant on the 5th, “From present indications the retreat of the enemy is rapidly becoming a rout;” but somewhat later he said, “I wish you were here yourself. I feel confident of capturing the Army of Northern Virginia if we exert ourselves. I see no escape for Lee.”<sup>4</sup> Grant with four of his staff and a mounted escort of fourteen men started at once to ride the sixteen miles which separated him from Sheridan. Darkness had come on and, his route lying through the

<sup>1</sup> O. R., vol. xlvi, part iii, p. 545. It will be useful here to consult the map of Grant’s and Sheridan’s campaigns which gives the line of retreat of Lee’s army. What Grant speaks of as the South Side Railroad is the Petersburg and Lynchburg Railroad on the map.

<sup>2</sup> O. R., vol. xlvi, part iii, p. 573.

<sup>3</sup> To Davis, April 12, O. R., vol. xlvi, part i, p. 1265. Davis asserts that “no orders were received to place supplies for Lee’s army at Amelia Court-House.” The evidence, I think, substantiates this statement. See Davis, vol. ii, pp. 668–676; South. Hist. Soc. Papers, Feb., 1877, p. 101 *et seq.* See Fitzhugh Lee’s discussion of this subject, p. 383.

<sup>4</sup> O. R., vol. xlvi, part iii, p. 582.

woods, he did not reach Sheridan's camp until about half-past ten. As he and his companions picked their way to headquarters the awakened troopers, recognizing Grant, gave vent to their astonishment at the uncommon occurrence of the General-in-Chief appearing at that late hour so near the enemy's lines. "Why there's the old man," said one. "Boys this means business." "Great Scott!" exclaimed another, "the old chief's out here himself. The rebs are going to get busted to-morrow certain." Grant, having acquired from Sheridan a thorough knowledge of the situation, made a midnight visit to Meade and ordered the movements for the next day with the design of heading off Lee.<sup>1</sup>

The result of the plans laid for April 6 is told best by Sheridan. At noon his report is, "the enemy are moving to our left with their trains and whole army." They "were moving all last night and are very short of provisions and very tired indeed. . . . They are reported to have begged provisions from the people of the country all along the road as they passed. I am working around farther to our left." Later in the same day he sent this word to Grant: "The enemy made a stand. . . . I attacked them with two divisions of the Sixth Army Corps, and routed them handsomely. . . . If the thing is pressed I think that Lee will surrender."<sup>2</sup> Let Lee take up the story: "The army continued its march during the night [April 6] and every effort was made to reorganize the divisions which had been shattered by the day's operations; but the men being depressed by fatigue and hunger, many threw away their arms, while others followed the wagon trains and embarrassed their progress. On the morning of the 7th rations were issued to the troops as they passed Farmville, but the safety of the trains requiring their removal upon the

<sup>1</sup> Horace Porter, *Century Magazine*, Sept., 1897, pp. 750, 751; Grant's Personal Memoirs, vol. ii. p. 468.

<sup>2</sup> O. R., vol. xlvi. part iii. pp. 609, 610.

approach of the enemy all could not be supplied. The army reduced to two corps under Longstreet and Gordon moved steadily on the road to Appomattox Court-House.”<sup>1</sup> Then Grant: “On the morning of the 7th the pursuit was renewed. . . . It was soon found that the enemy had crossed to the north side of the Appomattox; but so close was the pursuit that the Second Corps got possession of the common bridge at High Bridge before the enemy could destroy it and immediately crossed over. The Sixth Corps and a division of cavalry crossed at Farmville to its support. Feeling now that General Lee’s chance of escape was utterly hopeless I addressed him the following communication from Farmville: ‘April 7. General: The result of the last week must convince you of the hopelessness of further resistance on the part of the Army of Northern Virginia in this struggle. I feel that it is so, and regard it as my duty to shift from myself the responsibility of any further effusion of blood, by asking of you the surrender of that portion of the C. S. army known as the Army of Northern Virginia.’” Lee replied inquiring what terms Grant would offer. To this communication came promptly the answer: “Peace being my great desire there is but one condition I would insist upon, namely, that the men and officers surrendered shall be disqualified for taking up arms again against the Government of the United States until properly exchanged.” “Early on the morning of the 8th the pursuit was resumed,” continues Grant. “General Meade followed north of the Appomattox and General Sheridan with all the cavalry pushed straight for Appomattox Station followed by General Ord’s command and the Fifth Corps. During the day General Meade’s advance had considerable fighting with the enemy’s rear guard but was unable to bring on a general engagement. Late in the

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<sup>1</sup> To Davis, April 12, O. R., vol. xlvi. part i. p. 1266.

evening General Sheridan struck the railroad at Appomattox Station, drove the enemy from there, and captured twenty-five pieces of artillery, a hospital train, and four trains of cars loaded with supplies for Lee's army."<sup>1</sup>

Sheridan was alive to the situation; he telegraphed to Grant at twenty minutes past nine on the evening of the 8th, "we will perhaps finish the job in the morning. I do not think Lee means to surrender until compelled to do so."<sup>2</sup> Lee gives this account of that day: "By great efforts the head of the column reached Appomattox Court-House on the evening of the 8th and the troops were halted for rest."<sup>3</sup> Still clinging to the hope that he might yet escape, he wrote Grant in his second communication that he had not intended to propose the surrender of the Army of Northern Virginia, as in his opinion no such emergency had arisen, but that he would like to meet Grant to confer with him touching the restoration of peace. Grant was too wary to be entrapped in a fruitless negotiation which might serve for delay and replying, "I have no authority to treat on the subject of peace,"<sup>4</sup> pushed forward his operations. On the morning of April 9 Lee made "a desperate effort to break through" Sheridan's cavalry which had formed in his front across the road on which he must continue his march. Sheridan fell back gradually.<sup>5</sup> General Ord, who with two corps had marched from daylight on the 8th until the morning of the 9th with a rest of only three hours, now deployed his men and barred the way of the Confederates.<sup>6</sup> In order to learn whether or not

<sup>1</sup> O. R., vol. xlvi. part i. p. 55 *et seq.*

<sup>2</sup> Ibid., part iii. p. 653.

<sup>3</sup> Ibid., part i. p. 1286.

<sup>4</sup> Lee's letter was dated April 8 and received by Grant about midnight. Grant's reply is dated April 9 and was sent early in the morning. He added: "I will state however, general, that I am equally anxious for peace with yourself and the whole North entertains the same feeling." — Ibid., p. 57.

<sup>5</sup> Sheridan, May 16, *ibid.*, p. 1109.

<sup>6</sup> Ord, April 26, *ibid.*, p. 1163.

his situation was hopeless Lee despatched one of his staff to Gordon who sent back this word: "Tell General Lee I have fought my corps to a frazzle and I fear I can do nothing unless I am heavily supported by Longstreet's corps."<sup>1</sup> Longstreet was in the rear with Meade close upon him and not available for an attack in front. The Army of Northern Virginia was hemmed in and had no alternative but surrender. After receiving the message from Gordon, Lee was convinced and said: "Then there is nothing left me but to go and see General Grant and I would rather die a thousand deaths."<sup>2</sup>

He ordered the white flag to be displayed, requested by letter a suspension of hostilities and an interview with Grant.<sup>3</sup> The two generals met at McLean's house in the little village of Appomattox Court-House.<sup>4</sup> Lee wore a new, full-dress uniform of Confederate gray "buttoned to the throat" and a handsome sword, the hilt of which was studded with jewels, while Grant had on "a blouse of dark-blue flannel unbuttoned in front" and carried no sword.<sup>5</sup> "In my rough travelling suit," wrote Grant, "the uniform of a private with the straps of a lieutenant-general, I must have contrasted very strangely with a man so handsomely dressed, six feet high and of faultless form."<sup>6</sup> The two generals had

<sup>1</sup> Life of Lee, Long, p. 421; Life by Cooke, p. 480.

<sup>2</sup> Long, p. 421; Cooke, p. 460.

<sup>3</sup> O. R., vol. xlvi. part i. pp. 57, 1110, 1163; part iii. p. 664.

<sup>4</sup> "The little village with its half-dozen houses." — H. Porter, *Century Magazine*, Oct., 1897, p. 879.

<sup>5</sup> Ibid., p. 883. In 1805 at the meeting of Napoleon and Mack, Napoleon wore "the uniform of a common soldier with a gray coat singed on the elbows and tails, a slouch hat, without any badge of distinction, on his head." — Sloane, vol. ii. p. 235. After Jena in his triumphal entry into Berlin he wore "plain clothes with his little hat and a penny cockade." — Ibid., vol. iii. p. 3.

<sup>6</sup> Personal Memoirs, vol. ii. p. 490. Porter writes that Lee's "hair and full beard were a silver gray." Cf. description in vol. iii. p. 411. Grant stooped slightly. "His hair and full beard were nut-brown without a trace

met while in the old army during the Mexican War, and Lee, fifteen years the senior and of higher rank, had made a distinct impression on Grant.<sup>1</sup>

Twenty years later (1885) when he knew that what remained to him of life was but a span to be measured by weeks if not by days<sup>2</sup> Grant wrote an account of this interview, giving us an insight into his soul which exacts our admiration and which we ought not to forget when in future pages we are contemplating another side of the man. "My own feelings," said Grant, "which had been quite jubilant on the receipt of Lee's letter were sad and depressed. I felt like anything rather than rejoicing at the downfall of a foe who had fought so long and valiantly. . . . We soon fell into a conversation about old army times. . . ." This "grew so pleasant that I almost forgot the object of our meeting." He was brought to the business in hand by Lee who suggested that he write out the terms on which he proposed to receive the surrender of the Army of Northern Virginia. Grant set down these conditions: "the officers to give their individual paroles not to take up arms against the Government of the United States until properly exchanged; and each company or regimental commander sign a like parole for the men of their commands. The arms, artillery and public property to be parked and stacked and turned over to the officers appointed by me to receive them. This will not embrace the side-arms of the officers nor their private horses or baggage. This done, each officer and man will be allowed to return to their homes, not to be disturbed by U. S.

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of gray." — *Century Magazine*, Oct., 1897, p. 883. Lee was fifty-eight, Grant nearly forty-three.

<sup>1</sup> Personal Memoirs, vol. ii. p. 490.

<sup>2</sup> The pathetic story of the writing of the last portion of vol. ii. is told in his preface to vol. i.; by Badeau, *Century Magazine*, Oct., 1885, p. 923 et seq.; and in despatches from Mt. McGregor to New York Tribune of June 16, 20, 21, 22, 23, 24, 25, 30, July 1, 2, 5, 8, 13, 1885. Grant died at Mt. McGregor, N. Y., July 23, 1885.

authority so long as they observe their paroles and the laws in force where they may reside." Grant tells us how he composed this letter: "When I put my pen to the paper I did not know the first word that I should make use of in writing the terms. I only knew what was in my mind and I wished to express it clearly so that there could be no mistaking it. As I wrote on the thought occurred to me that the officers had their own private horses and effects, which were important to them but of no value to us; also that it would be an unnecessary humiliation to call upon them to deliver their side-arms. . . . When General Lee read over that part . . . he remarked with some feeling, I thought, that this would have a happy effect upon his army."<sup>1</sup>

I shall continue the account of this interview from the article of Horace Porter which is written largely from contemporary memoranda.<sup>2</sup> Shortly after Lee had read the proposition he said: "'There is one thing I should like to mention. The cavalrymen and artillerists own their own horses in our army. Its organization in this respect differs from that of the United States. . . . I should like to understand whether these men will be permitted to retain their horses.'

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<sup>1</sup> Personal Memoirs, vol. ii. p. 489 *et seq.*; see H. Porter, p. 883; O. R., vol. xlvi. part iii. p. 665. I have quoted Grant's letter from part iii. In his report, part i. p. 58, the phraseology is somewhat different. In his Personal Memoirs he prints from the original draft same as given in part iii. and adds a facsimile of it. All of the correspondence between Grant and Lee is printed in part iii. In making a comparison with the battle of Nashville, Colonel T. L. Livermore says: "At Nashville, Thomas with 50,000 attacked Hood's 23,000 who fled with slight loss in killed and wounded, leaving 4,462 prisoners in Thomas's hands. In the Appomattox campaign of twelve days, March 24—April 9, Grant with 113,000 attacked Lee's 50,000, and drove them from their works at Petersburg and Five Forks. The Union army, in hostile contact during seven of the twelve days, suffered a loss of 9,066 killed and wounded and 1714 missing, and killed and wounded more than 6000, captured 40,000 and dispersed the remainder of the 50,000 Confederates." — *The Nation*, March 14, 1901, p. 219.

<sup>2</sup> See editorial preface to these articles, *Century Magazine*, Nov. 1896, p. 17.

"‘You will find that the terms as written do not allow this,’ General Grant replied; ‘only the officers are permitted to take their private property.’

“Lee read over the second page of the letter again, and then said: ‘No, I see the terms do not allow it; that is clear.’ His face showed plainly that he was quite anxious to have this concession made; and Grant said very promptly, and without giving Lee time to make a direct request:

“‘Well, the subject is quite new to me. Of course I did not know that any private soldiers owned their animals; but I think we have fought the last battle of the war,—I sincerely hope so,—and that the surrender of this army will be followed soon by that of all the others; and I take it that most of the men in the ranks are small farmers, and as the country has been so raided by the two armies, it is doubtful whether they will be able to put in a crop to carry themselves and their families through the next winter without the aid of the horses they are now riding, and I will arrange it in this way. I will not change the terms as now written, but I will instruct the officers I shall appoint to receive the paroles to let all the men who claim to own a horse or mule take the animals home with them to work their little farms. . . .’

“Lee now looked greatly relieved, and though anything but a demonstrative man, he gave every evidence of his appreciation of this concession, and said: ‘This will have the best possible effect upon the men. It will be very gratifying, and will do much toward conciliating our people.’”<sup>1</sup>

Lee then accepted the proposition.<sup>2</sup> The number of

<sup>1</sup> *Century Magazine*, Oct., 1897, p. 885. Cf. with Personal Memoirs, vol. ii. p. 493.

<sup>2</sup> O. R., vol. xlvi. part iii. p. 660. For the parole of Lee and his staff see p. 667; the detailed agreement, p. 685.

men surrendered was 26,765.<sup>1</sup> The Confederates had "been living for the last few days principally upon parched corn" and were badly in need of food. Grant supplied them with rations. As soon as the Union soldiers heard of the surrender they commenced firing salutes at different points along the lines. He ordered them stopped, saying, "The war is over; the rebels are our countrymen again: and the best sign of rejoicing after the victory will be to abstain from all demonstrations in the field."<sup>2</sup>

Lee rode back sorrowfully to his soldiers. "The men gathered round him," writes Cooke, "wrung his hand and in broken words called upon God to help him. . . . The tears came to his eyes and looking at the men with a glance of proud feeling, he said, in suppressed tones, which trembled slightly: 'We have fought through the war together. I have done the best I could for you. My heart is too full to say more.'"<sup>3</sup> On the morrow he issued a farewell address to the Army of Northern Virginia<sup>4</sup> and rode away to Richmond. The army disbanded and dispersed to their homes.<sup>5</sup>

On the day after the surrender Grant had an interview with Lee and suggested that he use his great influence in advising the capitulation of the remaining Southern armies. The Union general did not enter the Confederate lines, did not go to Richmond and gave no sign of exultation. He went back to City Point and thence to Washington in order to stop further military preparations.<sup>6</sup> The day of his arrival there, four days after the

<sup>1</sup> T. L. Livermore, *Numbers and Losses*, p. 137.

<sup>2</sup> Porter, pp. 886, 887; *Personal Memoirs*, vol. ii. pp. 494-496; *Life of Lee*, Fitzhugh Lee, p. 898; Long's *Lee*, p. 425; Longstreet, p. 630. Owen Wister, *Life of Grant*, p. 130, speaks of Grant's "greatness at Appomattox, a hero in a soldier's dress with sword not drawn but sheathed. There his figure stands immortal and there his real life ends."

<sup>3</sup> *Life of Lee*, Cooke, p. 463; Fitzhugh Lee, p. 397.

<sup>4</sup> O. R., vol. xlvi. part i. p. 1267.

<sup>5</sup> Long, p. 425.

<sup>6</sup> Porter, pp. 888-891.

surrender of Lee, he and the War Department came to the determination, "to stop all drafting and recruiting, to curtail purchases for arms, ammunition," etc.; "to reduce the number of general and staff officers to the actual necessities of the service," and "to remove all military restrictions upon trade and commerce so far as may be consistent with public safety."<sup>1</sup>

Having spoken freely of the mistakes of Grant in the Virginia campaign of 1864 I must in candour express the opinion that in these final operations he outgeneralled Lee. The conditions were not unequal; 49,000 men opposed 113,000 and the game was escape or surrender. Lee's force was dispersed by defeat, weakened by captures and the shattered and discouraged remnant of it was forced to capitulate. That Lee was outgeneralled in this Appomattox campaign is a judgment supported by the intimations of some Confederate writers, made with the utmost deference to their general, that if everything had been managed properly the Army of Northern Virginia might have eluded surrender and protracted the war.<sup>2</sup>

The news of the surrender of Lee was received in Washington at nine o'clock Sunday evening April 9<sup>3</sup> and at a somewhat later hour in other cities of the land. While the people had exulted at the occupation of Richmond they perceived that the possession of the capital of the Confederacy did not imply the end of the war. But now, it was in everybody's mouth, "the great captain of the rebellion had surrendered":<sup>4</sup> this importuned that slavery was dead, the Union restored and

<sup>1</sup> April 13, O. R., vol. xlvi. part iii. p. 744. In addition to the authorities cited I have used Meade's report, ibid., part i. and the volumes of Humphreys, Jefferson Davis, and Taylor; also vol. ii. of Sheridan's Personal Memoirs.

<sup>2</sup> Fitzhugh Lee, pp. 372, 383, 387; Longstreet, pp. 588, 618, 630; Jefferson Davis, vol. ii. pp. 648, 649; cf. Taylor, p. 146; Long, p. 403 with Davis; see Humphreys, p. 385.

<sup>3</sup> O. R., vol. xlvi. part iii. p. 683.

<sup>4</sup> *New York World*, April 11.

that the nation lived. So pregnant an event ought speedily to be known to Europe and the Inman line despatched a special steamer on the Monday to carry the intelligence across the ocean. The people of the North rejoiced on the night of the 9th and during the day and evening of the 10th as they had never rejoiced before nor did they during the remainder of the century on any occasion show such an exuberance of gladness. Business was suspended and the courts adjourned. Cannons fired, bells rang, flags floated, houses and shops were gay with the red, white and blue. There were illuminations and bonfires. The streets of the cities and towns were filled with men, who shook hands warmly, embraced each other, shouted, laughed and cheered and were indeed beside themselves in their great joy. There were pledges in generous wines and much common drinking in bar-rooms and liquor shops. There were fantastic processions, grotesque performances and some tomfoolery. Grave and old gentlemen forgot their age and dignity and played the pranks of schoolboys. But always above these foolish and bibulous excesses sounded the patriotic and religious note of the jubilee. "Praise God from whom all blessings flow" were the words most frequently sung in the street, the Board of Trade and on the Stock Exchange. One writer records that in the bar-room of Willard's Hotel, Washington, when the news arrived, an elderly gentleman sprang upon the bar and led the crowd in singing with unwonted fervour the well-known doxology. "Twenty thousand men in the busiest haunts of trade in one of the most thronged cities of the world," Motley wrote, uncovered their heads spontaneously and sang the psalm of thanksgiving, "Praise God." Noteworthy was the service in Trinity Church, New York, one hour after midday of the Tuesday following the surrender, when the church overflowed with worshippers, who were in the main people of distinction. The choir chanted the

“Te Deum” and at the bidding of the clergyman, the congregation rose, and, inspired by the great organ and guided by the choir, sang the noble anthem “Gloria in Excelsis.” These opening words, “Glory be to God on high, and on earth peace, good will towards men,” had a peculiar significance to the Northern people who during these days of rejoicing were for the most part full of generous feeling for the South. Patriotism expressed itself in the songs “John Brown’s Body,” “My country, ‘tis of thee,” “Rally round the flag” and the “Star-spangled Banner.”<sup>1</sup> Lowell instinctively put into words what his countrymen had in their hearts: “The news, my dear Charles, is from Heaven. I felt a strange and tender exaltation. I wanted to laugh and I wanted to cry, and ended by holding my peace and feeling devoutly thankful. There is something magnificent in having a country to love.”<sup>2</sup>

Before I proceed to relate how this universal rejoicing was quickly followed by horror and deep mourning I shall give an account of Lincoln’s attitude towards reconstruction during the last days of his life.

While the President was in Richmond (April 4, 5) he had two interviews with Judge Campbell, in the last of which he gave to this self-constituted representative of the Southern people a written memorandum, stating the three indispensable conditions to peace: the national

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<sup>1</sup> My authorities for this account are: *Washington Star*, April 10, *National Republican*, April 10, *Chronicle*, April 11, *National Intelligencer*, April 11; *New York Tribune*, April 10, 11, 12, *Times*, April 11, *World*, April 10, 11; *Boston Daily Advertiser*, April 11; *Chicago Tribune*, April 10, 11; *Cleveland Herald*, April 10, 11, *Leader*, April 12; *Cincinnati Gazette*, April 11; Motley’s Letters, vol. ii. p. 202. The incident to which Motley refers took place in Wall Street. Letters of a Family during the War for the Union, vol. ii. p. 655. Motley wrote: “I said that we were not in a state of exultation at our immense victory. On the contrary I believe that the all-pervading, genuine sentiment of the American people was that of humble, grateful thanksgiving to God that the foul sedition was suppressed and the national life preserved.”

<sup>2</sup> To C. E. Norton, Letters, vol. i. p. 344, see also p. 343.

authority must be restored throughout the States; the Executive will make no recession concerning slavery; and all forces hostile to the government must disband.<sup>1</sup> On his return to City Point, as a result of his deliberation, he wrote to General Weitzel, April 6, that he might permit "the gentlemen who have acted as the legislature of Virginia . . . to assemble at Richmond and take measures to withdraw the Virginia troops and other support from resistance to the general government."<sup>2</sup> Nothing came of this. The surrender of Lee and Campbell's misconstruction of Lincoln's letter to Weitzel incited the President to telegraph to his general withdrawing both his letter and memorandum.<sup>3</sup> This was not done however before there had been published, in the Richmond *Whig*, with the approval of Weitzel, an address to the people of Virginia signed by many of the State senators and representatives and a number of citizens, who solicited that the governor, the members of the legislature and certain men of prominence should come together in Richmond by the 25th of April, in order that from such a conference might ensue an immediate meeting of the General Assembly and the restoration of peace to their commonwealth.<sup>4</sup>

<sup>1</sup> Lincoln to Grant, April 6, O. R., vol. xlvi. part iii. p. 593; Nicolay and Hay, vol. x. p. 221; Campbell's Recollections (Baltimore, 1880), pp. 9-11; letter of Campbell, July 20, 1865, *Century Magazine*, Oct., 1889, p. 952.

<sup>2</sup> C. W., vol. i., 1865, p. 521. In this manner I shall refer to the Report of the Joint Committee on the Conduct of the War.

<sup>3</sup> Lincoln said: Judge Campbell "assumes, as appears to me, that I have called the insurgent legislature of Virginia together as the rightful legislature of the State to settle all differences with the United States. I have done no such thing. I spoke of them not as a legislature but as 'the gentlemen who have acted as the legislature of Virginia in support of the rebellion.' I did this on purpose to exclude the assumption that I was recognizing them as a rightful body. . . . Inasmuch however as Judge Campbell misconstrues this . . . let my letter to you and the paper to Judge Campbell both be withdrawn or countermanded." — O. R., vol. xlvi. part iii. p. 725, see also pp. 619, 655, 657, 724; Nicolay and Hay, vol. x. p. 224 *et seq.*

<sup>4</sup> Dated April 11, published the 12th in Richmond *Whig*, now a Union paper. Appleton's Annual Cyclopædia, 1865, p. 798.

The interest of this circumstance in its bearing on the after history lies in the opposition of the radical Republicans to any such mode of reconstruction. Stanton in cabinet meeting showed that he was disturbed by the President's action;<sup>1</sup> and the committee on the conduct of the war, who were on a visit to Richmond at the time the address appeared, "were all thunderstruck and fully sympathized with the hot indignation and wrathful words of" their chairman Senator Wade.<sup>2</sup>

One loves to linger over the last days of Lincoln. He had nothing but mercy and kindness for his bygone enemies. "Do not allow Jefferson Davis to escape the law; he must be hanged," was said to him. "Judge not that ye be not judged" came the reply. On the boat journey from City Point to Washington (April 8, 9) he and his companions, among whom was Sumner, conversed with the freedom of a "small family party" and were happy that the end of the war was in sight. On the Sunday (the 9th) he read to them from his favourite play, "Macbeth,"

"Duncan is in his grave;  
After life's fitful fever he sleeps well;  
Treason has done his worst: nor steel, nor poison,  
Malice domestic, foreign levy, nothing  
Can touch him further."

A second time he read these words aloud.<sup>3</sup>

On Tuesday evening, April 11, Lincoln made to the rejoicing people who had come to the White House to hear him his last public speech. "By these recent successes," he said, "the reinauguration of the national authority — reconstruction — which has had a large

<sup>1</sup> Welles, *The Galaxy*, April, 1872, p. 524. Welles, a conservative, also opposed the plan.

<sup>2</sup> Julian, *Political Recollections*, p. 254.

<sup>3</sup> Pierce's Sumner, vol. iv. pp. 235, 239; Sumner's Works, vol. ix. pp. 408, 416; Marquis de Chambrun's Recollections of Lincoln, *Scribner's Magazine*, Jan., 1893, pp. 33, 35.

share of thought from the first, is pressed much more closely upon our attention. It is fraught with great difficulty." He then proceeded to defend his action in regard to the government of Louisiana. "As to sustaining it [the Louisiana government]," he continued, "my promise is out. But as bad promises are better broken than kept, I shall treat this as a bad promise, and break it whenever I shall be convinced that keeping it is adverse to the public interest; but I have not yet been so convinced. I have been shown a letter on this subject, supposed to be an able one, in which the writer expresses regret that my mind has not seemed to be definitely fixed on the question whether the seceded States, so called, are in the Union or out of it. It would perhaps add astonishment to his regret were he to learn that since I have found professed Union men endeavoring to make that question, I have purposely forbore any public expression upon it. As appears to me, that question has not been, nor yet is, a practically material one, and that any discussion of it, while it thus remains practically immaterial, could have no effect other than the mischievous one of dividing our friends. As yet, whatever it may hereafter become, that question is bad as the basis of a controversy, and good for nothing at all — a merely pernicious abstraction.

"We all agree that the seceded States, so called, are out of their proper practical relation with the Union, and that the sole object of the government, civil and military, in regard to those States is to again get them into that proper practical relation. I believe that it is not only possible, but in fact easier, to do this without deciding or even considering whether these States have ever been out of the Union, than with it. Finding themselves safely at home, it would be utterly immaterial whether they had ever been abroad. . . . The amount of constituency, so to speak, on which the new Louisiana government rests, would be more satisfactory

to all if it contained 50,000, or 30,000, or even 20,000, instead of only about 12,000, as it does. It is also unsatisfactory to some that the elective franchise is not given to the colored man. I would myself prefer that it were now conferred on the very intelligent and on those who serve our cause as soldiers.

"Still, the question is not whether the Louisiana government, as it stands, is quite all that is desirable. The question is, will it be wiser to take it as it is and help to improve it, or to reject and disperse it? Can Louisiana be brought into proper, practical relations with the Union sooner by sustaining or by discarding her new State government? Some 12,000 voters in the heretofore slave State of Louisiana have sworn allegiance to the Union, assumed to be the rightful political power of the State, held elections, organized a State government, adopted a free-State constitution, giving the benefit of public schools equally to black and white and empowering the legislature to confer the elective franchise upon the colored man. Their legislature has already voted to ratify the constitutional amendment recently passed by Congress, abolishing slavery throughout the nation. These 12,000 persons are thus fully committed to the Union and to perpetual freedom in the State—committed to the very things, and nearly all the things, the nation wants—and they ask the nation's recognition and its assistance to make good their committal. Now, if we reject and spurn them, we do our utmost to disorganize and disperse them. We, in effect, say to the white man: You are worthless or worse; we will neither help you nor be helped by you. To the blacks we say: This cup of liberty which these, your old masters, hold to your lips we will dash from you, and leave you to the chances of gathering the spilled and scattered contents in some vague and undefined when, where and how. . . . Concede that the new government of Louisiana is only to what it should be as the egg is to the

fowl, we shall sooner have the fowl by hatching the egg than by smashing it. . . . What has been said of Louisiana will apply generally to other States. . . . In the present situation, as the phrase goes, it may be my duty to make some new announcement to the people of the South. I am considering, and shall not fail to act when satisfied that action will be proper.”<sup>1</sup>

Of this speech Sumner wrote to Lieber: “The President’s speech and other things augur confusion and uncertainty in the future, with hot controversy. Alas! alas!”<sup>2</sup>

Friday, April 14 Lincoln held his last cabinet meeting. General Grant was present and said that he was anxious in his continual expectation of hearing from Sherman. The President replied: “I have no doubt that favorable news will soon come for I had last night my usual dream which has preceded nearly every important event of the war. I seemed to be in a singular and indescribable vessel, but always the same and to be moving with great rapidity toward a dark and indefinite shore.” Matters of routine were disposed of and then the subject of reconstruction was taken up. After some discussion the President said: “I think it providential that this great rebellion is crushed just as Congress has adjourned and there are none of the disturbing elements of that body to hinder and embarrass us. If we are wise and discreet we shall reanimate the States and get their governments in successful operation, with order prevailing and the Union re-established before Congress comes together in December. . . . I hope there will be no persecution, no bloody work after the war is over. No one need expect me to take any part in hanging or killing those men, even the worst of them. Frighten them out of the country, open the gates, let

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<sup>1</sup> Lincoln, Complete Works, vol. ii. pp. 672-675.

<sup>2</sup> Pierce’s Sumner, vol. iv. p. 236.

down the bars, scare them off [throwing up his hands as if scaring sheep]. Enough lives have been sacrificed. We must extinguish our resentments if we expect harmony and union. There is too much of a desire on the part of some of our very good friends to be masters, to interfere with and dictate to those States, to treat the people not as fellow-citizens; there is too little respect for their rights. I do not sympathize in these feelings." He then spoke of the Louisiana government, joined in the discussion regarding the status of Virginia and said at the close of the meeting: Reconstruction "is the great question pending and we must now begin to act in the interest of peace."<sup>1</sup> Stanton gave two accounts of this council. "At a cabinet meeting yesterday," he wrote at half-past one in the morning of April 15, "the President was very cheerful and hopeful; spoke very kindly of General Lee and others of the Confederacy and the establishment of government in Virginia." At 11.40 the same morning he said in a letter to Adams: "The President was more cheerful and happy than I had ever seen [him], rejoiced at the near prospect of firm and durable peace at home and abroad, manifested in marked degree the kindness and humanity of his disposition and the tender and forgiving spirit that so eminently distinguished him."<sup>2</sup>

Rejoicing over Lee's surrender which began on Sunday night continued through the week but by Friday it had abated in the Northern cities leaving in its train

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<sup>1</sup> Welles in *The Galaxy*, April, 1872, pp. 525-527. I have altered the account from the third person to the first. After mature consideration I have adopted these recollections as a substantially exact account of this meeting. Welles had an accurate memory and his story fits into the situation. My own judgment is confirmed by Nicolay and Hay who are acute critics of the authenticity of reported private conversations of Lincoln (see vol. x. p. 282), and by Stanton's general accounts which follow in the text. For other accounts of the dream, see note, *ibid.*; George Eliot's *Life*, vol. iii. p. 113; Grant Duff's *Notes from a Diary*, vol. ii. p. 141.

<sup>2</sup> O. R., vol. xlvi. part iii. pp. 780, 785.

a serene content. The most significant celebration took place at Charleston, South Carolina and had been arranged sometime beforehand for the purpose of hoisting the flag over Fort Sumter four years from the day on which it fell; but much was added to the joyful anniversary by the intelligence of Lee's surrender which was learned on their arrival by the distinguished visitors from the North who went there to participate in what Beecher called "a grand national event." The religious exercises at the fort were marked by a puritanical fervour; and distinct efforts were made to evoke the memories of the past. The chaplain who had thanked God at the flag-raising December 27, 1860 now offered a prayer. General Robert Anderson made a brief speech with deep feeling and raised the same United States flag over the ruins of Fort Sumter which he had lowered April 14, 1861. Sumter saluted the flag with one hundred guns and every fort and battery which had fired upon the little garrison at the commencement of the war now gave a national salute. The people sang the "Star-spangled Banner." Henry Ward Beecher delivered an impressive oration. At the banquet at the Charleston Hotel in the town one of the speakers was William Lloyd Garrison, who had been hanged and burned in effigy at Charleston thirty years before, and on whose head the South had set a price.<sup>1</sup>

While the rejoicing went on in Charleston and echoes of the jubilation of the early week resounded throughout the North, Lincoln was assassinated. Walt Whitman has told the story of the exultation over the end of the war and of the death of the Captain with the peaceful haven in sight:

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<sup>1</sup> O. R., vol. xlvii. part iii. pp. 18, 31, 34, 41, 51, 59, 99, 107, 108, 109, 116, 128, 161, 242; Nicolay and Hay, vol. x. p. 278 *et seq.*; Life of H. W. Beecher, p. 451; Life of W. L. Garrison, vol. iv. p. 137 *et seq.*; cf. vol. i. p. 61, vol. iii. pp. 221, 354 of this work; Life of Garrison, vol. i. p. 517, vol. ii. p. 4.

"O Captain ! my Captain ! our fearful trip is done,  
The ship has weather'd every rack, the prize we sought is won,  
The port is near, the bells I hear, the people all exulting,  
While follow eyes the steady keel, the vessel grim and daring.

O Captain ! my Captain ! rise up and hear the bells ;  
Rise up — for you the flag is hung — for you the bugle trills,  
For you bouquets and ribboned wreaths — for you the shores  
a-crowding,  
For you they call, the swaying mass, their eager faces turning.

My Captain does not answer, his lips are pale and still,  
My father does not feel my arm, he has no pulse nor will,  
The ship is anchored safe and sound, its voyage closed and done,  
From fearful trip the victor ship comes in with object won ;

Exult O shores and ring O bells !  
But I with mournful tread,  
Walk the deck my Captain lies,  
Fallen cold and dead."<sup>1</sup>

Somewhat after two o'clock on the afternoon of April 14 General Grant bade the President good-by having declined his invitation to accompany him to the theatre that evening, the desire of seeing their children taking Mrs. Grant and himself to New Jersey. Lincoln spent an agreeable afternoon. He had an hour's chat with his son Robert (who for a short time had been a captain on Grant's staff), and then took a long drive with his wife, his happy and tender mood colouring his review of the past and anticipation of the future. Schuyler Colfax, Speaker of the last House and prospective Speaker of the next, was unable to join the theatre party but called at the White House at half-past seven in the evening in order to have a few last words before setting out on his journey to the Pacific coast.

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<sup>1</sup> See Barrett Wendell's opinion of this poem. A Literary History of America, p. 474; also Hapgood's Lincoln, p. 409.

At ten minutes past eight the President rose and said to his wife, "Mother, I suppose it's time to go though I would rather stay;" then grasping Colfax's hand with, "Pleasant journey to you, I'll telegraph you at San Francisco, good-by" he went with Mrs. Lincoln, Miss Harris and Major Rathbone to Ford's theatre to see Laura Keene's company play the comedy "Our American Cousin."

John Wilkes Booth, an erratic actor delighting in the gloom of "Richard III." and Schiller's "Robbers," a man of intemperate habits, and a fanatical sympathizer with the South, had organized a conspiracy for the murder of the President, Vice-President, General Grant and Secretary Seward, in which he had chosen for his part the assassination of the President. Between ten o'clock and half-past, Booth, fortified by liquor, showed a card to the servant sitting outside of the President's box, was allowed to pass, entered the box stealthily, put a pistol to Lincoln's head and shouting *Sic semper tyrannis*, fired. Dropping his pistol he struck with a knife at Rathbone, who was endeavouring to seize him, and jumped from the box to the stage. Although a high leap it would not have been difficult for an actor of Booth's training had not his spur caught in the folds of the flag with which the Presidential box was draped. He fell to the stage, breaking his leg, rose immediately, and, turning to the audience, brandished his knife, rushed out of the theatre, and, mounting a fleet horse rode away.

The ball had entered Lincoln's brain, at once rendering him insensible. He was taken to a house opposite, lay in a state of coma all night and died at twenty-two minutes past seven in the morning.<sup>1</sup>

<sup>1</sup> Nicolay and Hay, vol. x. p. 285 *et seq.*; H. Porter, *Century Magazine*, Oct., 1897, p. 891; Grant's Personal Memoirs, vol. ii. p. 508; Hollister's Colfax, p. 253; Testimony in Pitman's Trial of the Conspirators; Stanton, O. R., vol. xlvi. part iii. pp. 780, 784; Harris's Assassination of Lincoln; G. A. Townsend's Life of J. W. Booth.

In Stanton's account of the tragedy, he said, the door of the President's private box "was unguarded."<sup>1</sup> Had one of the million soldiers which Lincoln commanded been on guard with proper orders, by far the most precious life in the country, the one life absolutely necessary to the nation, would have been saved. There is but one other historic assassination fraught with such consequence to country, perhaps to civilization—that of Julius Cæsar. "And when some of his friends did counsel Cæsar," wrote Plutarch, "to have a guard for the safety of his person and some also did offer to serve him: he would never consent to it but said, It was better to die once than always to be afraid of death." Such was the attitude of Lincoln.

"Cæsar was the entire and perfect man," wrote Mommsen. ". . . But in this very circumstance lies the difficulty, we may perhaps say the impossibility, of depicting Cæsar to the life. As the artist can paint everything save only consummate beauty, so the historian, when once in a thousand years he encounters the perfect, can only be silent regarding it." This were truer of Lincoln than of Cæsar, yet it is true of neither. In intellect Cæsar surpassed Lincoln. Yet it remained for Washington and Lincoln to render false for the first time in history the generalization of Montesquieu: "Constant experience shows us that every man invested with power is apt to abuse it; he pushes on till he comes to something that limits him. Is it not strange though true to say that virtue itself has need of limits!"

Poet, preacher and orator have said all that can be said of Lincoln. It were too much to claim for him a world glory alongside of those men of titanic intellects who have bestrode the Old World, and whose deeds have amazed the New. It is enough that he is dear to Americans and enshrined next to Washington in their hearts.

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<sup>1</sup> O. R., vol. xlvi. part iii. p. 784.

What a tribute to the worth of the man is the love and respect of the two sections of the country that strove against each other in a long and cruel war! Men marvel at Alexander, Caesar and Napoleon; their intimates and their subjects feared them. No one stood in awe of Lincoln; we respect, admire and love him. The others were puffed up with pride until they thought themselves demi-gods; he received suggestion and counsel that any other powerful ruler would have spurned. Personal aggrandizement ruled the giants; abnegation of self him who was moulded from the clay "of the unexhausted West."

A historian, who for sixteen years has studied closely Lincoln's character and actions, who has reflected upon his speeches, his public and private letters, who has tried to know him as those did that saw him daily, feels in recording his death a poignant regret that he should have been taken away when his people still needed him and when his wisdom would have had full scope. His truthfulness, honesty and self-abnegation make better men of the students of his words and deeds and we all experience a moral uplifting in the contemplation of his character. The uncouthness and oddity of the man have gone with him to the grave; his speeches, state papers, letters, records of his conversation and some of his stories remain. We see the best, but the man we see is not untrue to life. Indeed the roughness of his manners was an incident so trivial that we forget it naturally without making an effort to ignore it. We can see into the very soul of Lincoln and know him as he knew himself. Let everything be told about him and we shall never respect him less but shall always love him more.

Lincoln's love of country hardly left room for love of self. Other rulers of great power have remorselessly crushed those who stood in their way. He said, "I am not in favor of crushing anybody out." It is sometimes

thought that virtue in a man of action cannot coexist with great ability and it is undeniable that much contemporary opinion of Lincoln ran: well-meaning but weak, honest but without force. When his death came, men recognized all the more his goodness, but then too they said he had been wise: a judgment which a later generation has confirmed. "The new pilot," as Emerson said, "was hurried to the helm in a tornado"; but after he had taken his bearings what a skilful pilot he made!<sup>1</sup>

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<sup>1</sup> The literature on Lincoln is enormous. Emerson's remarks at Concord April 19 and Phillips Brooks's sermon April 23 are impressive contemporary utterances. Robert C. Winthrop, at the annual meeting of the Massachusetts Historical Society, April, 1865, spoke of Lincoln as "the man who of all other men could be least spared to the administration of our government—the man who was most trusted, most relied on, most beloved by the loyal people of the Union. Beyond all doubt the life of President Lincoln was a thousand fold the most precious life in our whole land; and there are few of us I think who would not willingly have rescued it at the risk or even at the sacrifice of our own." — Memoir, p. 265. Of later estimates of Lincoln, those of Carl Schurz, Joseph H. Choate, Charles A. Dana and Norman Hapgood are excellent guides and no one of them is fulsome. Frederic Harrison spoke of Lincoln as "the most beautiful and heroic character who in recent times has ever led a nation, the only blameless type of the statesman since the days of Washington." Allen writes: "Among the forces which combined to mould the life of Phillips Brooks, a prominent place must be assigned to the character and the career of the great martyr of the Civil War. In the formative moment when one is receiving deep and lasting impressions, Lincoln became to him the typical ideal of a man and of an American. His faith in humanity was quickened and deepened by the conviction that he had seen and known in his own age a man who would stand on the heights of human greatness." — Life of Brooks, vol. i. p. 539. The Plutarch quoted is North's. The Montesquieu is Nugent's translation (Edinburg, 1772). James Mill in his essay on Government makes the same quotation from Montesquieu. See Leslie Stephen's The English Utilitarians, vol. ii. p. 78. J. W. Booth was a brother of Edwin. "Sic semper tyrannis" was the motto of Virginia.

## CHAPTER XXVI

AT the same hour that Booth entered Ford's theatre on the night of April 14, Lewis Payne another of the conspirators attempted the assassination of Seward who was confined to his bed with severe injuries received nine days before. His horses had taken fright got beyond the control of the coachman and run away. Seward in attempting to jump from the carriage was thrown with violence to the pavement and taken up unconscious ; his jaw was broken on both sides and his right shoulder dislocated. Inflammation, fever and delirium followed and he was still on this night a very sick man, watched by his daughter and a hospital nurse. Payne rang the door-bell of the secretary's house in Lafayette Square and on being admitted said that he had a package of medicine from the attending physician which he must deliver in person in order to give the invalid verbal directions about taking it ; he succeeded in overbearing the hall servant and went upstairs. But quiet was necessary for the continuance of the hard-won slumber of the nervous and restless sick man so that Frederick Seward disturbed at the noise, met the intruder at the top of the stairs and told him emphatically that his father could not be seen. Payne turned as if to leave the house went down three steps, jumped back suddenly, levelled a revolver at Frederick Seward, pulled the trigger, and, missing fire, used the butt of his revolver as a bludgeon, and pounded him on the head until he fell to the floor insensible. The man nurse opened the door of the sick chamber to see what was the trouble, when he was struck at by Payne with a bowie-knife, wounded

and knocked down. The assassin pushed by the nurse to the bed of Secretary Seward, slashed his right cheek and stabbed him twice in the throat; Seward, covered with blood, rolled out of bed and fell senseless to the floor. The nurse got to his feet and grappled with Payne while Augustus Seward, another son, awakened by the disturbance came to his assistance. The two forced Payne to the door, where he knocked the nurse down by a blow with his fist, struck at Augustus with his knife, broke loose, ran downstairs, stabbing an attendant in his course, escaped from the house unhurt and mounting his horse rode leisurely away. The physician saw at once that Secretary Seward's wounds were not mortal. He eventually recovered.<sup>1</sup>

The night of the assassination of Lincoln and the attempt on Seward was one of horrors in Washington. The long roll was beaten all over the city and every avenue was guarded. The various official despatches reflect the excitement and alarm. Some of them are written in frantic words and reveal the utmost consternation. The troops were ordered out and guards were posted at the public buildings, the residences of the cabinet officers, of the Chief Justice and of Senator Sumner. The next morning while a heavy rainfall and thick black sky added to the gloom, the tolling of the bells announced the death of President Lincoln.<sup>2</sup>

“Men, wives and children stare, cry out and run  
As it were doomsday.”<sup>3</sup>

<sup>1</sup> So did Frederick Seward. The name of the nurse was George F. Robinson. My authorities are the testimony in Pitman, pp. 154–160; Nicolay and Hay, vol. x. p. 303 *et seq.*; Life of Seward, Frederick Seward, vol. iii. p. 276 *et seq.*

<sup>2</sup> O. R., vol. xlvi. part iii. p. 744 *et seq.*; Warden's Chase, p. 638; Pierce's Sumner, vol. iv. p. 237; Julian's Political Recollections, p. 255; Nicolay and Hay, vol. x. p. 301; Washington *National Intelligencer*, *National Republican*, April 15, 17, *Evening Star*, April 15, 18, *Times*, April 17; Riddle, Recollections, p. 331; McCulloch, *Men and Measures*, p. 225.

<sup>3</sup> Julius Cæsar, act III. scene 1.

The nation was stricken with anguish. The sudden change from joy to grief charged the contemporary writings with a sadness and regret nowhere else to be found in our history. The impression made on men's minds was so powerful that recollections of that gloomy Saturday have even now the freshness of a tale of yesterday. The gay decorations in all the cities were draped with black and even the heavens remained in sombre accord with the trappings of woe. Never before nor since were the hearts of the people so profoundly stirred with sorrow. They grieved at the loss of a good and wise ruler; many of them bemoaned the fate that took him away in the hour of his triumph when he had earned the peace he had long sighed for, and when his peculiar wisdom was needed for the policy of the future. There was a feeling too on the part of many that Johnson who now became President was not fit for the place.<sup>1</sup> At his inauguration as Vice-President he had been intoxicated and made to the distinguished audience in the Senate chamber a maudlin, incoherent speech with insulting words to the diplomatic representatives of foreign lands who assisted as spectators at what is commonly an imposing ceremony. The disgrace had been keenly felt by the country but the fast crowding events since March 4 had obliterated it from men's minds until now the contemplation of Johnson as President brought it back afresh. Indignation too over Lincoln's assassination followed sorrow and regret, as it was generally believed that the conspiracy had been concocted by the Confederate authorities as a desperate expedient for averting their doom. Magnanimity to the beaten foe was the sentiment of Monday;

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<sup>1</sup> Grimes wrote to his wife April 16: "I am full of forebodings about Johnson. He is loyal enough but a man of low instincts, vindictive, violent, and of bad habits. His course will depend much upon the hands he falls into at the outset. I hope he will be equal to the occasion, and prove to be a good President. The performance of the 4th of last month was not a very flattering augury of the future." Salter's Life of Grimes, p. 278.

a cry for justice and vengeance, a demand that the "leaders of the rebellion" should be hanged were heard everywhere on Saturday. A number of well-known men gave expression to this feeling in their speeches at an impromptu meeting in Wall Street, New York City and when they advocated that the death punishment should be inflicted on the prominent Confederates for "treason" their words were received with applause. It is undeniable that this New York meeting represented the general sentiment of the North on that day.

A few men in New York City said they were glad that Lincoln had been killed. They escaped the fury of the people by flight or were saved from it by the police and when apprehended were given various sentences of imprisonment by the magistrates. The architect of the county court-house in Cleveland declared with an oath that the country in the death of Lincoln had suffered a small loss; a crowd set upon him and he was preserved from injury only by the intercession of the mayor and some other prominent citizens. So offended were the people at his remark that they requested the county commissioners to remove his name from the stone in the base of the court-house on which it was engraved; at once the letters composing the obnoxious name were chipped from their place. In the cities business was suspended, the courts adjourned, the theatres closed. That Saturday afternoon Edwin Booth was to have played Hamlet at the Boston theatre in Boston and wrote to his manager on the occasion of the postponement of the mimic tragedy a pathetic note. "The news of the morning has made me wretched indeed," he said, "not only because I received the unhappy tidings of the suspicions of my brother's crime but because a good man and a most justly honored and patriotic ruler has fallen in an hour of national joy by the hand of an assassin. . . . I am oppressed by a private woe."

Phillips Brooks then a young clergyman in Philadelphia gave fit expression to the religious sentiment of the community. In his diary he set down: "The whole land is deep in sorrow and there is nothing to do but to pray for help;" and to his brother he said: "I cannot write to you to-day. I had hoped to write a jubilant letter for Victory and Easter but though neither of these things is taken from us they are shadowed out of sight by this fearful news. May God help us to bear it." On the next day he wrote in his diary: "A sad Easter Day. I spoke to the Sunday-school of Mr. Lincoln. Then at church I read and spoke again of the President." The churches and meeting-houses at the North were crowded. Most of them were draped with black. In many of the Episcopal churches the exultant music was toned down and it was a rare exception in all the places of worship where the preacher did not take for the subject of his sermon the Life and Death of Abraham Lincoln.<sup>1</sup>

The evidence against the conspirator who was supposed to have been selected for the assassination of Grant is not clear and it is not certain that Grant really stood in jeopardy. It had been given out that he would attend the theatre that evening in company with the President and he would have done so had he not been able to get through with his work in time to take the afternoon train for Burlington (N. J.). If it be true that a certain O'Laughlin had been told off by Booth for the murder of Grant, he did not lack the convenient opportunity. The general drove to the railroad station in a two-seated top carriage sent him by a friend. His friend's wife and Mrs. Grant occupied the back seat

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<sup>1</sup> New York *Tribune*, April 15, 17, *World*, April 15, 17, 18, *Herald*, April 16, *Times*, April 17; Boston *Daily Advertiser*, April 17; Chicago *Tribune*, April 17; Cleveland *Herald*, April 15, 17, *Leader*, April 17; Cincinnati *Commercial*, April 15, 17; Life of Phillips Brooks, Allen, vol. i. p. 533. As to Johnson on inauguration day, see New York *World*, March 6, 7, 9, *Herald*, March 5, 6, *Tribune*, Mar. 10; Life of Hannibal Hamlin, Hamlin, p. 497.

while he sat on the front seat with the coachman and thus proceeded to the station with neither troops nor guard. Indeed Mrs. Grant felt some apprehension at the action of a horseman, who, in riding past them on Pennsylvania Avenue peered into their carriage, then went onward for a time, turned, came toward them and gazed intently at Grant. This was probably Booth. The General reached Philadelphia a little before midnight and found at the Delaware River ferry despatches with the intelligence of Lincoln's assassination and a request that he return to Washington immediately. This he did, arriving there Saturday morning.<sup>1</sup>

According to the finding of the Military Commission which tried most of the conspirators, Atzerodt lay in wait for Vice-President Johnson with murderous intent but lacked the courage to carry out the part assigned to him.<sup>2</sup>

Following the precedents established on the demise of Harrison and Taylor the members of the cabinet with the exception of Seward certified to Johnson the death of the President. At ten o'clock that morning (April 15) Chief Justice Chase, Secretary McCulloch, Attorney-General Speed and a number of other gentlemen repaired by appointment to Johnson's lodgings at the Kirkwood House, where in a parlour of the hotel, the Chief Justice administered the oath of office to Johnson, who after repeating it "distinctly and impressively" kissed the Bible. As Chase took back the Bible he said earnestly: "You are President. May God support, guide and bless you in your arduous duties." The gentlemen present offered their congratulations to Johnson who made a brief response which was not characterized by good taste. He

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<sup>1</sup> Pitman, *passim*; H. Porter, *Century Magazine*, Oct., 1897, p. 892; Harris's Assassination of Lincoln, p. 312; Grant's Personal Memoirs, vol. ii. p. 508; C. E. Bolles, *Century Magazine*, June, 1890, p. 309; O. R., vol. xlvi. part iii. p. 744; testimony of Mathews, Impeachment Investigation, p. 783.

<sup>2</sup> Pitman, pp. 20, 144, 248; Harris's Assassination of Lincoln, p. 71.

had better have said nothing formally at that hour but sent out later the fitly chosen words which the Chief Justice at his request, had written out for him as an address to his "fellow-citizens of the United States."<sup>1</sup>

"The King is dead! Long live the King!" So it might have been said in Washington. Julian in a book written many years afterward related with candour some of the occurrences of that day. Johnson, he wrote, "was at once surrounded by radical and conservative politicians, who were alike anxious about the situation. I spent most of the afternoon in a political caucus, held for the purpose of considering the necessity for a new cabinet and a line of policy less conciliatory than that of Mr. Lincoln; and while everybody was shocked at his murder, the feeling was nearly universal that the accession of Johnson to the Presidency would prove a godsend to the country. Aside from Mr. Lincoln's known policy of tenderness to the rebels, which now so jarred upon the feelings of the hour, his well-known views on the subject of reconstruction were as distasteful as possible to radical Republicans."<sup>2</sup>

On the next day, Sunday, Wade, Chandler, Julian and other radical Republicans called upon the President and were received cordially. Wade exclaimed: "Johnson, we have faith in you. By the gods, there will be no trouble now in running the government!" The President thanked him and replied: "I hold that robbery is a crime; rape is a crime; *treason* is a crime and *crime* must be punished. Treason must be made infamous and traitors must be impoverished."<sup>3</sup> It is little wonder that ordinary men lost their heads when Grant, excited by the belief that the murder of Lincoln was due to a

<sup>1</sup> Warden's Chase, p. 640; Schuckers's Chase, p. 519; Appleton's Annual Cyclopædia, 1865, p. 800. But see McCulloch's Men and Measures, p. 376. McCulloch was Secretary of the Treasury.

<sup>2</sup> Political Recollections, p. 255.

<sup>3</sup> Julian, Political Recollections, p. 257; see also Life of Chandler, Detroit Post and Tribune, p. 279.

Confederate conspiracy, telegraphed Ord at Richmond to arrest Judge Campbell and others "and put them in Libby prison"; and "to arrest all paroled officers . . . unless they take the oath of allegiance." "Extreme rigor," he said, "will have to be observed whilst assassination remains the order of the day with the rebels."<sup>1</sup>

Wednesday April 19 a simple and solemn funeral service was held over the body of Lincoln in the White House. An Episcopal clergyman read a portion of the burial office of his church, the Methodist Bishop Simpson offered a prayer and Rev. Dr. Gurley of the Presbyterian Church, which the President and his family habitually attended, delivered a funeral address. The body was taken to the rotunda of the Capitol where for two days it lay in state. It was decided that Lincoln should be buried at Springfield and when this decision became known a general desire was expressed from cities and towns on the way that the funeral train should stop within their limits in order that their people might mourn over the President's dead body. This led to the determination that the train should take substantially the same route over which Lincoln had travelled on his way from Springfield to Washington when he came east to be inaugurated as President. At Philadelphia his body lay in state in Independence Hall and it was recalled that on February 22, 1861 he had said in the same place: "If this country cannot be saved without giving up" the principle of the Declaration of Independence, "I was about to say I would rather be assassinated on this spot than surrender it." In New York an incident occurred which was in accord with Lincoln's principles and life. "The Archbishop of the Roman Catholic church in New York and a Protestant minister walked side by side in the sad procession and

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<sup>1</sup> O. R., vol. xlvi. part iii. p. 762. Ord prevailed upon Grant to withdraw this order. Obedience to it would have required him to arrest Lee and his staff.

a Jewish rabbi performed a part of the solemn services.”<sup>1</sup> Chicago where he was nominated for President, the chief city of his State, mourned for him as the greatest son of Illinois. At Springfield May 4 he was buried and Bishop Simpson who had been a personal friend pronounced the funeral oration. He spoke of the number of people who had “looked on the procession for 1600 miles or more.” “More persons,” he said, “have gazed on the face of the departed than ever looked on the face of any other departed man.”

From the assassination to the burial of Lincoln was a period of twenty days. The departments of the government mourned his death in an impressive way. The million soldiers loved their commander-in-chief and grieved for him as for a father. By request of the State Department funeral services were held in the different places of worship throughout the country on the day of the obsequies in Washington. For twenty days the uppermost thought in men’s minds was Lincoln and it was kept vivid by the press, by speeches and by sermons from the pulpit. And always the desire for vengeance alternated with grief.

Some good people to whom the observances of their church were sacred regretted that Lincoln should have gone to the theatre on Good Friday; but they were lenient in their judgments and remembered that he attended a church which did not regard the fast-day and that the thought of it would hardly have occurred to him. They might have known too that were he aware of giving offence by going to the theatre on any particular day he would have deferred his amusement to another time. A larger number of good people were sorry that Lincoln should have gone to the theatre at all, but what they would not excuse in others, they excused in him, feeling that he had borne a great burden and was taking a needed recreation.

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<sup>1</sup> Bishop Simpson’s funeral oration at Springfield.

The Calvinistic sentiment of the country was still strong. "God's will be done," was the consolation offered to a sorrowing people; and the speakers, mainly from the pulpit, suggested reverently a reason why God had suffered Lincoln to be assassinated: he would have been too merciful to the "traitors"; a sterner hand was needed to visit upon the "leaders of the rebellion" the punishment justly their due.

Excuses were made for Johnson's condition on inauguration day and his virtues were sounded and exaggerated. The sentiment of Republicans as one may gather it from the press, from speeches and from sermons was that he had a legitimate title to their hearty support.<sup>1</sup>

<sup>1</sup> The Nation's Tribute, (Washington, 1865); Voices from the Pulpit, (New York, 1865); Nicolay and Hay, vol. x. chap. xvi., also p. 292; newspapers hitherto cited; Morse's Lincoln, vol. ii. p. 346. In Voices from the Pulpit of New York and Brooklyn are printed twenty-one sermons. Most of the preachers call for condign punishment for the "traitors" as they called the leading Confederates. Among those who did not fall in with the popular cry Beecher and Henry W. Bellows were conspicuous. Even Phillips Brooks though he did not advocate the punishment of the Southern leaders seemed to imply in his sermon of April 23 in Philadelphia that it was necessary. Remembering that preachers and speakers had great influence in 1865 in leading public sentiment and that they also in a manner represented it we shall find an interest in some of these utterances. Stephen H. Tyng, low church Episcopalian, New York, said: "We shall not withhold our lament that death found him [Lincoln] in the sanctioning by his presence of the demoralizing influence of the theatre, unwillingly as he evidently went there." Voices from the Pulpit, p. 81. I remember a similar expression from another low church pulpit. Robert Lowry, Baptist, said: "And now I come to meet a question which will disturb every Christian mind. The President was shot in the theatre." — *Ibid.*, p. 310. Schuyler Colfax in his oration in Chicago referred "to those who have expressed their regrets that the murderer found him [Lincoln] in a theatre." — The Nation's Tribute, p. 208.

General Benjamin F. Butler said in Wall Street, New York City, April 15: "Perhaps I may say reverently that this dispensation of God's good providence is sent to teach us that the spirit of the Rebellion has not been broken by the surrender of its armies." L. E. Chittenden at the same meeting asserted: "I do not know but God intended that Lincoln should be removed in order that the proper punishment should be imposed upon the authors of the Rebellion." — *New York Tribune*, April 17. Stephen H. Tyng said that this providence of God "has introduced a ruler whose stern experience of Southern wickedness will cut off all pleas of leniency to the base destroyers of their country." — Voices from the Pulpit, p. 75. J. E. Rock-

Soon after John Wilkes Booth rode away from the theatre he was joined by a fellow-conspirator named Herold. They were quickly in Maryland, stopped at a tavern owned by Mrs. Surratt ten miles from the city, got some whiskey and rode on "with the bone of my leg tearing the flesh at every jump,"<sup>1</sup> as Booth recorded in his diary. When thirty miles away from Washington, the acute pain drove him to seek relief at the house of Dr. Mudd an acquaintance of his and a Southern sympathizer. Mudd set the broken bone as best he could, had a crutch made for Booth and gave him a room where he reposed until the evening of Saturday, April 15 when he and Herold were guided in a round-about way fifteen miles farther on to the residence of another friend of the South who sent them a mile off into the woods for concealment and turned them over to his foster brother Jones for care and protection. Jones, aware that the assassin of the President was put

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well, Presbyterian, asked, "May it not be that God has permitted this great crime . . . to awaken us to a sense of justice and to a full exaction of the penalty of God's law upon those who have planned and accomplished the horrible scenes of the past four years?" — *Ibid.*, p. 281. Albert S. Hunt, Methodist, said: "Wherever Lincoln has erred it has been on the side of mercy. . . . And there are those who listen to me to-day who think that Providence has permitted this calamity to befall us that a sterner hand might rule in our national affairs." — *Ibid.*, p. 347. Emerson in his remarks at Concord, April 19, said: "And what if it should turn out in the unfolding of the web that he [Lincoln] had reached the term; that the heroic deliverer could no longer serve us; that the rebellion had touched its natural conclusions, and what remained to be done required new and uncommitted hands — a new spirit born out of the ashes of war." "Who will say that his death was not a judgment of the Lord?" — Sumner, June 1, *Works*, vol. ix. p. 407.

I did not deem it necessary to refer in the text to the sentiment of some people who on account of the assassination occurring on Good Friday drew a parallel between the murder of Lincoln and the crucifixion of Christ, see Morse's *Lincoln*, vol. ii. p. 346; *Life of Phillips Brooks*, Allen, vol. i. p. 534. Dr. Bellows spoke "of our lost leader, honored in the day of his death; dying on the anniversary of our Lord's great sacrifice, a mighty sacrifice himself for the sins of a whole people." — *Voices from the Pulpit*, p. 62.

<sup>1</sup> It will be remembered that in his jump from the box to the stage Booth broke his leg.

into his charge, fed him and his companion and showed them the utmost fidelity although he knew that he could get at least \$100,000 for their apprehension and that he was incurring the risk of severe punishment by harbouring the criminals. They were eager to get across the Potomac River into Virginia but this was a hazardous undertaking as the country was already being scoured by pursuing parties and the river patrolled by gunboats. Booth suffered almost constant pain from his broken leg which of course increased the difficulty of their escape. But about eight days after the assassination they succeeded in crossing the river and putting their feet on Virginia soil. They were coldly received by the different men to whom they disclosed their identity and applied for protection. Nevertheless they were in some manner protected. But the soldiers were on the trail, and on the night of April 25 traced them to the farm of a man by the name of Garrett beyond the Rappahannock, where they were found in a barn. In response to the summons Herold surrendered but Booth refused to come out. The barn was fired and Booth was shot without orders by Sergeant Corbett. He died soon afterwards.

Payne who had attempted the assassination of Seward lay in hiding for two days but finally driven to the city by hunger came to Mrs. Surratt's house in Washington where he was arrested. All the other conspirators except John H. Surratt were apprehended and after a trial of seven weeks by a military commission were found guilty and given various sentences. The findings of the commission were made June 30. July 7 Payne, Herold, Atzerodt and Mrs. Surratt were hanged. O'Laughlin, Mudd and Samuel Arnold were sentenced to imprisonment for life and a scene-shifter at Ford's theatre who had assisted Booth in making his escape, for six years. During the trial the prisoners were subjected to unnecessary cruelty. They were brought into the court in irons and they were still shackled when they went to

the gallows. The most unsatisfactory feature in the proceedings was the hanging of Mrs. Surratt. The historical evidence is plain that she knew of the conspiracy, her boarding-house was a meeting-place for the conspirators and she did something for their aid, but legally there was not a strong case made against her. A woman who had not actually committed murder, whose part in the crime was not shown beyond a reasonable doubt, should not have been sent to the gallows. A majority of the Military Commission recommended to President Johnson that on account of her age and sex her sentence be commuted to imprisonment for life. This recommendation he considered in council with most if not all of the members of his cabinet. The advice of those who expressed an opinion coincided with his own judgment; and in accordance therewith he disregarded the recommendation for mercy and, by order to the general commanding in Washington especially suspended a writ of habeas corpus which had been issued on the morning of July 7 in favour of Mrs. Surratt and directed him to proceed to the execution of the sentences of the Military Commission.

The charge and specification on which the conspirators were arraigned declared that they were "incited and encouraged" to their crime by Jefferson Davis, Jacob Thompson (Secretary of the Interior under Buchanan), Clement C. Clay (ex-United States senator from Alabama) and others. The "evidence in the Bureau of Military Justice" sustaining the charge led President Johnson to issue May 2 a proclamation offering a reward of \$100,000 for the arrest of Davis, \$25,000 each for the arrest of Thompson and Clay with additional rewards for other persons implicated. The testimony of a number of the witnesses before the Military Commission seemed to substantiate this charge so far as it related to Thompson and to certain of the others but subsequent revelations showed that this testimony was entirely

untrustworthy. From the character and standing of Jefferson Davis irrefragable evidence would be necessary to prove his connection with the conspiracy. The testimony of two witnesses might at the worst have excited a suspicion of his indirect complicity but these men were during the year 1866 shown to be perjurors whose story was a pure fabrication. The belief that there might be some truth in the charge against Davis was given up finally by most of the persons who at first thought it entitled to consideration.<sup>1</sup>

<sup>1</sup> My authorities are Pitman (Cincinnati, 1865); Philadelphia *Inquirer*, report of trial (Philadelphia, 1865); Washington *National Intelligencer*, report of trial edited by Poore (Boston, 1865); report of Colonel L. C. Turner, Judge Advocate, June 2, 1866, O. R., ser. ii. vol. viii. p. 921; majority report from House Committee on Assassination of Lincoln, by Boutwell, minority report by Rogers, Report No. 104, 39th Cong. 1st Sess.; Comment on Boutwell's report, New York *Tribune*, July 28, 30, New York *World*, July 28, New York *Nation*, Aug. 2, 1866; South. Hist. Soc. Papers, vol. ix. (1881), p. 313 *et seq.*; Harris, *The Assassination of Lincoln*; G. A. Townsend, How Booth crossed the Potomac, *Century Magazine*, April, 1884; Trial of J. H. Surratt; correspondence of Judge Holt and James Speed, *North American Review*, July, Sept., 1888; Nicolay and Hay, vol. x. chap. xv.; O. R., vol. xlvi. part iii. p. 847; vol. xlvii. part iii. p. 245, but see p. 287; Life of Stanton, Gorham, vol. ii. p. 202 *et seq.*; McCulloch, *Men and Measures*, pp. 225, 226; New York *Tribune*, *World*, May 15, *World*, *Herald*, July 8; Life of Wade, Riddle, p. 329, note; Davis's Confederate Government, vol. ii. pp. 683, 703; Burton N. Harrison, *Century Magazine*, Nov., 1883, p. 136; Greeley's *American Conflict*, vol. ii. pp. 748, 750; do. *Recollections*, p. 412 *et seq.*; affidavits and account of Samuel Arnold, Boston *Herald*, Dec. 9-20, 1902; Henry Watterson's comment on same, cited by Cleveland *Plain Dealer*, Dec. 26, 1902.

In May, 1866, at Washington, Thaddeus Stevens related to George Shea, one of the counsel of J. Davis, "how the chief of this 'Military Bureau' showed him the 'evidence' upon which the proclamation was issued charging Davis and Clay with complicity in the assassination of Mr. Lincoln. He said that he refused to give the thing any support and that he told that gentleman the evidence was insufficient in itself and incredible." Stevens then earnestly said to Shea: "Those men are no friends of mine. They are public enemies and I would treat the South as a conquered country and settle it politically upon the policy best suited for ourselves. But I know these men, sir. They are gentlemen and incapable of being assassins." — South. Hist. Soc. Papers, vol. i. p. 325.

Booth's first plan was to kidnap the President and take him to Richmond.

When Clay heard of the charge against him and the reward for his arrest, he surrendered himself voluntarily. — O. R., vol. xlix. part ii. p. 733.

So far as one can get at the feeling of the Southern soldiers and people by the expressions of those prominent among them it was one of regret that Lincoln should have been killed.<sup>1</sup> General Ewell spoke strongly, writing to Grant his belief that the feeling of the Southern people and of every Southern man was one of "unqualified abhorrence and indignation for the assassination of the President of the United States."<sup>2</sup> General Johnston said that "the loss was most serious to the people of the South who had begun to realize that Mr. Lincoln was the best friend the South had."<sup>3</sup> Public meetings of citizens of New Orleans, Huntsville (Ala.), Savannah, and Wilmington (N. C.) condemned the assassination and mourned the loss of Lincoln. The mayor who presided at the meeting in Savannah declared "Circumstances had so ordered it that in my opinion no life in the whole country was more important than that of President Lincoln in settling the unfortunate condition of affairs which now exists." One of the resolutions at the Wilmington meeting asserted the belief of those present that Lincoln "was about to crown his administration and signalize the advent of peace by a course of magnanimity which must have secured him the respect and friendship of the Southern

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John H. Surratt fled to Canada, remained there in concealment until September, crossed the ocean, was hidden for a while in England, then went to Rome and enlisted as a private soldier in the papal army. He was found out, arrested but escaped from his guards, went to Naples and crossed the sea to Alexandria. There he was again arrested and brought to the United States. He was tried in the criminal court of the District of Columbia, the trial lasting from June 10 to Aug. 10, 1867. The jury failed to agree being nearly equally divided. In the end he was released from custody and a *nolle prosequi* was entered. — Trial of John H. Surratt; also Harris.

<sup>1</sup> See references to Davis and Harrison in previous note; Alfriend's Davis, p. 627; Mrs. Davis's book, vol. ii. p. 615; Life of Lee, Fitzhugh Lee, p. 400; Roman's Beauregard, vol. ii. p. 402; Cox's Reminiscences, vol. ii. p. 532. Contrariwise, O. R., vol. xlvii. part iii. p. 273.

<sup>2</sup> O. R., vol. xlvi. part iii. p. 787.

<sup>3</sup> Despatch from Sherman, April 18, O. R., vol. xlvii. part iii. p. 245; Johnston's Narrative, p. 402; Sherman's Memoirs, vol. ii. pp. 349, 354.

people.”<sup>1</sup> William Aiken who had been a prominent Congressman from South Carolina before the war and who then had the name of owning more slaves than anybody in the country,<sup>2</sup> joined with an associate in a request to the colonel in command for the use of Hibernian Hall in order that the citizens of Charleston might in public meeting express their condemnation of the crime perpetrated at Washington and mourn the loss of Abraham Lincoln.<sup>3</sup> Certainly no man of standing, either South or North, ever proclaimed his approval of the deed of Wilkes Booth or attempted to justify it. Far different was this from the feeling about that other great assassination. “Is it a crime,” asked Cicero in his Second Philippic, “to have rejoiced at Cæsar’s death? . . . What does it signify whether I wished it to be done or rejoiced that it has been done? Is there any one then, except you yourself [Mark Antony] and those men who wished him to become a king, who was unwilling that that deed should be done or who disapproved of it after it was done? . . . In truth all good men, as far as it depended on them, bore a part in the slaying of Cæsar. . . . What more glorious action was ever done? . . . Their action [that of the assassins of Cæsar] is not only of itself a glorious and godlike exploit but it is also one put forth for our imitation; especially since by it they have acquired such glory as appears hardly to be bounded by heaven itself.”<sup>4</sup> Tacitus wrote that the names of Brutus and Cassius shone with pre-eminent lustre and that it was a new crime first heard of in the eleventh year of the reign of Tiberius, when a historian was condemned to death and his books were burned, because he had praised Brutus and called Cassius the

<sup>1</sup> Tributes of the Nation to Lincoln (Washington, 1867), pp. 858, 898, 918, 922.

<sup>2</sup> See vol. ii. p. 114.

<sup>3</sup> O. R., vol. xlvi. part iii. p. 262.

<sup>4</sup> Cap. xii, xiii, xiv. Cicero wrote to Atticus: [Cæsar] “whom I wish the gods may damn now that he is dead!” (*quem dili mortuum perduint!*) — Forsythe’s Cicero, vol. ii. p. 201.

last of the Romans.<sup>1</sup> It is curious to contrast these thoughts of Cicero and Tacitus with the entry that Wilkes Booth made in his diary one week after he had killed the President. I am "hunted like a dog through swamps, woods . . . with every man's hand against me . . . for doing what Brutus was honored for."<sup>2</sup>

We left Sherman and Johnston confronting one another in North Carolina. April 10 Sherman began his movement<sup>3</sup> and marched straight towards Raleigh, receiving two days later from Grant a telegram announcing the surrender of Lee's army. "I hardly knew how to express my feelings," he wrote, "but you can imagine them. . . . Roads are heavy but under the inspiration of the news from you we can march twenty-five miles a day."<sup>4</sup> In imparting the intelligence to his army he said: "Glory to God and to our country and all honor to our comrades in arms. . . . A little more labor, a little more toil on our part, the great race is won, and our government stands regenerated after four long years of bloody war."<sup>5</sup> The joy of his officers and men knew no bounds<sup>6</sup> and they became more confident than ever that they were equal to the undertaking in which they and their trusted general were engaged. "We entered Raleigh this morning," Sherman telegraphed April 13. "Johnson has retreated westward. . . . If I can bring him to a stand I will soon fix him."<sup>7</sup> Raleigh was occupied quietly. The people were at first terror-stricken when they found themselves in the hands of Sherman's dreaded soldiers but were soon reassured as

<sup>1</sup> Annals, book iii, cap. 76, book iv, cap. 34, 35.

<sup>2</sup> Trial of John H. Surratt, vol. i. p. 310.

<sup>3</sup> "To-morrow we move straight against Joe Johnston wherever he may be. . . . Poor North Carolina will have a hard time for we sweep the country like a swarm of locusts." — April 9, 1865, Sherman's letters to his wife, MS.

<sup>4</sup> To Grant. O. R., vol. xlvii. part iii. p. 177.

<sup>5</sup> Ibid., p. 180.

<sup>6</sup> Ibid., p. 187; Sherman's Memoirs, vol. ii. p. 344; Cox's Reminiscences, vol. ii. p. 460.

<sup>7</sup> O. R., vol. xlvii. part iii. p. 191.

they saw that discipline was maintained and that they themselves and their property were protected from harm.<sup>1</sup>

Meanwhile Jefferson Davis was at Greensborough<sup>2</sup> (N. C.), in council with four members of his cabinet and Generals Johnston and Beauregard, the burden of their deliberation being what, in view of the surrender of Lee, should be their future policy. While Davis admitted that their disasters were terrible he did not think that they were fatal and was of the opinion that the struggle might be continued with the reasonable hope of beating the enemy. He then said : "We should like to hear your views, General Johnston." "My views are, sir," replied Johnston, "that our people are tired of the war, feel themselves whipped, and will not fight. Our country is overrun, its military resources greatly diminished, while the enemy's military power and resources were never greater and may be increased to any desired extent. . . . My men are daily deserting in large numbers. . . . Since Lee's defeat they regard the war as at an end. If I march out of North Carolina her people will all leave my ranks. It will be the same as I proceed south through South Carolina and Georgia, and I shall expect to retain no man beyond the by-road or cow-path that leads to his house. My small force is melting away like snow before the sun, and I am hopeless of recruiting it. We may, perhaps, obtain terms which we ought to accept."<sup>3</sup> All except Davis and Benjamin agreed with Johnston and it was decided that an attempt should be made to treat with the enemy. Davis dictated, Mallory<sup>4</sup> wrote out and Johnston signed a letter to Sherman,<sup>5</sup> inquiring whether he

<sup>1</sup> Cox's *Reminiscences*, vol. ii, p. 463.

<sup>2</sup> Davis stopped at Danville until he heard of the surrender of Lee's army and then proceeded to Greensborough.

<sup>3</sup> Mallory's account in Alfriend's *Davis*, p. 624.

<sup>4</sup> Confederate Secretary of the Navy.

<sup>5</sup> Alfriend, p. 625; Johnston's *Narrative*, p. 400; Roman's *Beauregard*, vol. ii, p. 395.

was willing "to make a temporary suspension of active operations and to communicate to Lieutenant-General Grant, commanding the armies of the United States, the request that he will take like action in regard to other armies; the object being to permit the civil authorities to enter into the needful arrangements to terminate the existing war."<sup>1</sup> Sherman replied at once that he was willing to confer with Johnston in order to arrange with him "terms for the suspension of further hostilities" between their armies and that he would undertake to abide by the same conditions "as were made by Generals Grant and Lee at Appomattox Court-House."<sup>2</sup> Thus far Sherman did not exceed his authority and he showed in his despatch to each Grant and Stanton that he had in mind the correct principle which should guide him in his negotiation. Sending them a copy of the correspondence between himself and Johnston he expressed the opinion that it would "be followed by terms of capitulation," and added, "I will accept the same terms as General Grant gave General Lee and be careful not to complicate any points of civil policy."<sup>3</sup>

Sherman and Johnston arranged a meeting on Monday April 17 at a place equidistant from the pickets of each command. Just as Sherman was leaving Raleigh by train to keep this appointment he received a despatch conveying to him the intelligence of the assassination of Lincoln. Fearing the effect on his army he charged the telegraph operator not to reveal this news by word or look until he should return in the evening. He met Johnston and showed him the despatch. "The perspiration came out in large drops on his forehead," relates Sherman, "and he did not attempt to conceal his distress. He denounced the act as a disgrace to the age and hoped I did not charge it to the Confederate

<sup>1</sup> O. R., vol. xlviil. part iii. p. 206. One copy of this letter is dated April 13, the other April 14. <sup>2</sup> O. R., vol. xlviil. part iii. p. 207.

<sup>3</sup> Ibid., p. 221, despatch dated April 15.

government. I told him I could not believe that he or General Lee, or the officers of the Confederate army could possibly be privy to acts of assassination; but I would not say as much for Jeff. Davis, George Sanders, and men of that stripe. We talked about the effect of this act on the country at large and on the armies, and he realized that it made my situation extremely delicate. I explained to him that I had not yet revealed the news to my own personal staff or to the army and that I dreaded the effect when made known in Raleigh. Mr. Lincoln was peculiarly endeared to the soldiers, and I feared that some foolish woman or man in Raleigh might say something or do something that would madden our men, and that a fate worse than that of Columbia would befall the place.”<sup>1</sup>

The two generals who had never before met personally, then commenced to discuss the object of their meeting. Sherman offered the terms which Grant had given Lee. Johnston replied: “Our relative positions are too different from those of the armies in Virginia to justify me in such a capitulation but I suggest that instead of a partial suspension of hostilities we endeavor to arrange the terms of a permanent peace.” Sherman met the suggestion with sympathy and they discussed the matter cordially from their different points of view, arriving by sunset at a substantial agreement on most of the details involved.<sup>2</sup> Sherman returned to Raleigh that evening and after taking extraordinary precautions for maintaining discipline and for preventing soldiers from visiting or wandering about the city, he announced to the army the assassination of their President. Knowing that negotiations had commenced which might terminate the war, and longing for peace, the soldiers in their deep mourning for the loss of a leader surmounted

<sup>1</sup> Sherman's Memoirs, vol. ii. p. 349; O. R., vol. xlvii. part iii. pp. 245, 287; Johnston's Narrative, p. 402.

<sup>2</sup> Johnston's Narrative; Sherman's Memoirs, vol. ii. p. 349.

the desire for vengeance on the enemy.<sup>1</sup> Sherman could write next day: "The news of Mr. Lincoln's death produced a most intense effect on our troops. At first I feared it would lead to excesses, but now it has softened down and can be easily guided."<sup>2</sup>

When Sherman went to meet Johnston, Tuesday, April 18, the predominant fear in his mind was that if the negotiations should fail the pursuit and capture of Johnston's army would be a difficult enterprise. Johnston was free to move,<sup>3</sup> unlike Lee who had been practically surrounded, and it was always possible that his army and the other armies in the Southwest might break up into guerilla bands and prolong the war indefinitely. "There is a class of young men who will not live at peace," Sherman wrote to his wife. "Long after Lee's and Johnston's armies are beaten and scattered they will band together as highwaymen and keep the country in a fever begetting a guerilla war."<sup>4</sup> He thought that if he could procure an agreement for the disbandment of all the Confederate armies it would insure peace from the Potomac to the Rio Grande, thus ending the war actually by strokes of the pen. Lincoln's amnesty proclamation of 1863, his message of 1864, his conversation with Sherman and Grant at City Point, his quasi-approval of General Weitzel's invitation to the Virginia legislature to reassemble—these were the utterances which, according to Sherman's view, should determine the principles of reconstruction: he had not received and had never seen the positive command of Lincoln to Grant of March 3, "You are not to decide, discuss or confer upon any political question; such questions the President holds

<sup>1</sup> Cox's Reminiscences, vol. ii. p. 465; O. R., vol. xlvii. part iii. p. 238.

<sup>2</sup> April 18, *ibid.*, p. 245.

<sup>3</sup> "Johnston's army was not surrounded and its surrender could not have been compelled." — Schofield's Forty-six Years, p. 350.

<sup>4</sup> April 9, 1865, Sherman's letters, MS.

in his own hands and will submit them to no military conferences or conventions." His general officers had urged him to conclude terms which would result in peace; and besides he had a feeling of sympathy with the Southern people who lay beaten and prostrate and wished to act with magnanimity towards the commander he had striven against so long. It was with holy and noble motives that General Sherman went to his work that morning; and he was met in the same spirit by Johnston. Curiously enough Johnston seemed less certain of the approval of Davis than Sherman did of his own government and he had telegraphed for Breckinridge, the Confederate Secretary of War, who had confidential relations with his President to come to the place of meeting, hoping that his consent would assure the ratification of the agreement. Sherman at first objected to the presence of Breckinridge at their interview as he was a civil officer but it was in the end agreed that he should take part in the discussion, not as Secretary of War but as Major-General. After some conversation an agreement which had been drawn up by the Confederate Postmaster-General Reagan<sup>1</sup> was submitted to Sherman, but he declared it to be inadmissible. Then, as he proceeds with the account, "recalling the conversation of Mr. Lincoln at City Point, I sat down at the table and wrote off the terms, which I thought concisely expressed his views and wishes and explained that I was willing to submit these terms to the new President, Mr. Johnson provided that both armies should remain *in statu quo* until the truce therein declared should expire."<sup>2</sup>

This was the famous Memorandum or basis of agreement signed that day (April 18) by Sherman and Johnston. It provided: First. The continuance of the armistice terminable on forty-eight hours' notice.

<sup>1</sup> O. R., vol. xlvi. part iii. p. 806.

<sup>2</sup> Sherman's Memoirs, vol. ii. p. 353, also *ante*; Johnston's Narrative, p. 404; the correspondence, O. R., vol. xlvi. part iii. *passim*.

Second. The disbanding under parole of all the Confederate armies "now in existence" and the depositing of their arms in "their several State capitals" subject to the future action of the United States Congress.

Third. The recognition by the Executive of the United States of the several State governments on their officers' and legislatures' taking the oaths prescribed by the Constitution of the United States.

Fourth. The re-establishment of the Federal Courts.

Fifth. "The people and inhabitants of all the States to be guaranteed, so far as the Executive can, their political rights and franchises, as well as their rights of person and property, as defined by the Constitution of the United States and of the States respectively."

Sixth. Freedom for the people from disturbance by the Executive on account of the past.

It was also provided that these terms should be submitted to their respective principals in order to obtain the necessary authority to carry out the agreement.<sup>1</sup>

Sherman thought that he had accomplished a grand work. "I have just got back," he wrote to his wife, "from a long interview with Gen. Johnston and Breckinridge, Sec'y of war to the confederacy, in which we arranged terms for the disbandment of all the confederate armies from this to the Rio Grande, the submission to the national authority, etc., which I send at once to Washington for ratification, when this civil war will be over. I can hardly realize it, but I can see no slip. The terms are all on our side."<sup>2</sup>

That Sherman exceeded his authority is obvious. Nor otherwise was it desirable that such an agreement should be made even conditionally by an army commander.

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<sup>1</sup> O. R., vol. xlvii. part iii. p. 243. In this abridgment I have been helped much by the summary in Cox's Reminiscences, vol. ii. p. 484. There was a seventh provision which was a résumé of the others.

<sup>2</sup> April 18, 1865, Sherman's letters, MS.

While the agreement as a plan of reconstruction with some modifications and additions might have much to be said in its favour,<sup>1</sup> it dealt with matters of moment that ought not to be decided save after a careful consideration by the President looking to Congress and to the people for their approval. This objection goes so to the root of the matter that any other is superfluous, but it is indeed remarkable that Sherman, acting as he thought according to the letter and spirit of Lincoln's words, did not insert in his provision for the protection of property that property in slaves was expressly excluded. In sending the memorandum to Grant he wrote: "Both Generals Johnston and Beauregard admitted that slavery was dead, and I could not insist on embracing it in such a paper, because it can be made with the States in detail."<sup>2</sup>

Sherman's defence of the conditions which he granted is worthy of consideration. "The point to which I attach most importance," he said, "is that the dispersion and disbandment of these armies is done in such a manner as to prevent their breaking up into guerilla bands."<sup>3</sup> "We should not drive a people into anarchy," he wrote later, "and it is simply impossible for our military power to reach all the recesses of their unhappy country."<sup>4</sup> "There has been at no time any trouble about Joe Johnston's army," he said again. "It fell and became powerless when Lee was defeated, but its dispersion when the country was already full of Lee's men would have made North Carolina a pandemonium. I desired to avoid that condition of things. The South is broken and ruined and appeals to our pity. To ride

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<sup>1</sup> Schofield wrote: "It may not be possible to judge how wise or how unwise Sherman's first memorandum might have proved if it had been ratified. . . . We now know only this much—that the imagination of man could hardly picture worse results than those wrought out by the plan finally adopted." — *Forty-six Years*, p. 353.

<sup>2</sup> O. R., vol. xlvii. part iii. p. 243.

<sup>3</sup> April 18, *ibid.*

<sup>4</sup> To Grant, April 28, *ibid.*, p. 334.

the people down with persecutions and military exactions would be like slashing away at the crew of a sinking ship. I will fight as long as the enemy shows fight, but when he gives up and asks quarter I cannot go further. This state of things appeals to our better nature.”<sup>1</sup> In his report of May 9, written after he had given much thought to the subject, he regarded his agreement as “a few general concessions, ‘glittering generalities,’ all of which in the end must and will be conceded to the organized States of the South” and as saving “brave men” from “the ungracious task of pursuing a fleeing foe that did not want to fight.”<sup>2</sup>

The afternoon of April 21 Grant then in Washington received Sherman’s Memorandum of agreement and took the view of it which he expressed in a letter to him on the same day. “I read it carefully myself,” Grant wrote, “before submitting it to the President and Secretary of War and felt satisfied that it could not possibly be approved.”<sup>3</sup> He thought that immediate action should be taken upon the agreement and suggested to Stanton that the President summon a meeting of his cabinet that night. The meeting was held and the agreement was disapproved. Stanton stated this in a formal letter to Grant and added: “You will give notice of the disapproval to General Sherman and direct him to resume hostilities at the earliest moment. The instructions given to you by the late President Abraham Lincoln on the 3d of March by my telegraph of that date, addressed to you, express substantially the views of President Andrew Johnson and will be observed by General Sherman. . . . The President desires that you proceed immediately to the headquarters of General Sherman and direct operations against the enemy.”<sup>4</sup>

<sup>1</sup> To Rawlins, April 29, O. R., vol. xlvi. part iii. p. 345.

<sup>2</sup> Ibid., part i. p. 35. Sherman’s defence, C. W., 1865, vol. iii. p. 5, is not so admirable.

<sup>3</sup> O. R., vol. xlvi. part iii. p. 264.

<sup>4</sup> April 21, O. R., vol. xlvi. part iii. p. 263.

Grant went to Raleigh without letting Sherman know that he was on the way. Arrived there he treated his brother in arms with the utmost consideration and gentleness and gave him the orders of the President. April 24 Sherman sent this word to Johnston: "I have replies from Washington to my communications of April 18. I am instructed to limit my operations to your immediate command and not to attempt civil negotiations. I therefore demand the surrender of your army on the same terms as were given General Lee at Appomattox of April 9, instant, purely and simply."<sup>1</sup> He also sent another letter to Johnston saying that the truce between them would terminate in forty-eight hours according to the first of their articles of agreement.<sup>2</sup>

Davis had delayed giving his approval to the Johnston-Sherman agreement until he had received formal expressions of opinion in favour of doing so from five members of his cabinet,<sup>3</sup> so that his assent reached Johnston only one hour before the word came from Sherman announcing the disapproval of the United States government. Unable to get satisfactory instructions from Davis, Johnston must of himself come to a decision.<sup>4</sup> He weighed the matter well, and with rare civic virtue and a high sense of his duty to his soldiers and to the Southern people he surrendered his army to Sherman on the same terms which Grant had given Lee.<sup>5</sup>

Sherman, on receiving a copy of Stanton's official communication to Grant of April 21, wrote a dignified reply in which he said: "I admit my folly in embracing in a military convention any civil matter. . . . I had flattered myself that by four years' patient, unremitting and successful labor I deserved no reminder such as is contained in the last paragraph of your letter to General

<sup>1</sup> O. R., vol. xlvii. part iii. p. 294.

<sup>2</sup> Ibid., p. 298.

<sup>3</sup> Ibid., pp. 821, 823, 827, 830, 832.

<sup>4</sup> Ibid., p. 834 *et seq.*; Johnston's Narrative, p. 410 *et seq.*

<sup>5</sup> O. R., vol. xlvii. part iii. p. 313.

Grant."<sup>1</sup> This ought to have closed the incident and would undoubtedly have done so, had not Stanton already with a reckless disregard of official secrecy and honour excited public sentiment against Sherman by publications in the newspapers.

April 22, Stanton sent a despatch to Dix at New York City which was intended for the press and given to it immediately. In this communication he declared that the agreement which Sherman had made with Johnston was disapproved of "by the President, by the Secretary of War, by General Grant and by every member of the cabinet" and that Sherman "was ordered to resume hostilities immediately." Without affirming it directly he intimated in an insidious manner, which to most readers carried the force of assertion, that the order of Lincoln to Grant of March 3 was known to Sherman. Garbling a despatch from Halleck<sup>2</sup> which told of a rumour that "Jeff Davis" had carried away a large amount of specie from Richmond, he let the insinuation appear that Sherman had been bribed to make terms and to give orders which would allow the Confederate President to escape with "this gold plunder" to Mexico or Europe; and he ended his telegram to Dix with the information that Grant had started for North Carolina to direct operations against Johnston's army.<sup>3</sup> Stanton also communicated to the press the full text of the Sherman-Johnston agreement and his nine reasons why it had been disapproved.<sup>4</sup> One of his statements was untrue in fact, another untrue in effect and almost all of the comments were harsh and captious; yet so strained and excited still was the public mind on this

<sup>1</sup> O. R., vol. xlvii. part iii. p. 302. Sherman obviously means last sentence, *ante*, p. 169. <sup>2</sup> Halleck was in Richmond.

<sup>3</sup> O. R., vol. xlvii. part iii. p. 285; cf. Halleck's despatch, p. 277. See Cox's Reminiscences, vol. ii. p. 501; *New York World*, April 24.

<sup>4</sup> Gorham's Stanton, vol. ii. p. 187; *New York Times*, April 24; Cox's Reminiscences, vol. ii. p. 501.

tenth day after the assassination of Lincoln, the very day when the metropolis was mourning over his dead body, that Stanton's assertions and arguments were effective with the people to whom he appealed. Forney telegraphed the Secretary of War from Philadelphia: "Thanks for your prompt action in the unexpected negotiations of Sherman. The people are with Andy Johnson and you. I speak from your texts in both my papers to-morrow."<sup>1</sup> On the morrow he telegraphed President Johnson, "Almost unanimous against the Sherman armistice. Feeling tremendous." Senator Sprague said in his despatch of the same date to the President from Providence, "Loyal men deplore and are outraged by Sherman's arrangement with Johnston. He should be promptly removed."<sup>2</sup> Of the four leading New York morning dailies three were bitter in their condemnation of Sherman; it was left for the "Copperhead" New York *World* to say some kind words of the General, to suggest that the "unreflecting impetuosity" of Stanton had caused him to disregard fairness and justice, and that "the arrangement might have been rejected without wounding Sherman's pride and assailing his loyalty."<sup>3</sup> An indication of the intensity of feeling is found in a letter to Stanton from Senator John Sherman, who was devoted to his brother. "I am distressed beyond measure at the terms granted General Johnston by General S." he wrote from Cleveland April 27. "They are inadmissible. There should now be literally no terms granted. We should not only brand the leading rebels with infamy, but the whole rebellion should wear the badge of the penitentiary, so that for this gen-

<sup>1</sup> April 23, O. R., vol. xlvii. part iii. p. 292.

<sup>2</sup> Ibid., p. 301. Stanton telegraphed Grant, April 25: "The arrangement between Sherman and Johnston meets with universal disapprobation. No one of any class or shade of opinion approves it. I have not known so much surprise and discontent at anything that has happened during the war." — Ibid.

<sup>3</sup> New York *World*, *Times*, *Tribune*, *Herald*, April 24.

eration at least, no man who has taken part in it would dare to justify or palliate it.”<sup>1</sup> Julian in his “Recollections” is not too emphatic in his description of public sentiment. “On the face of the proceeding,” he writes, “Sherman’s action seemed a wanton betrayal of the country to its enemies; but when this betrayal followed so swiftly the frightful tragedy which was then believed to have been instigated by the Confederate authorities, the patience of the people became perfectly exhausted.”<sup>2</sup>

Stanton was for the moment successful in accomplishing what he had set out for; he had stirred the hearts of the people to mutiny and rage. But could there have been a triumph more ignoble? A patriotic and useful general who, after Lincoln and Grant had been the most effective instrument in bringing the war to an end, had, with the best of motives committed an error. Instead of parading it before the public the Secretary of War should have kept it secret from the press as Lincoln had kept Seward’s “Thoughts for the President’s consideration”<sup>3</sup> or at all events should not have magnified the mistake by misrepresentation and defamation. The only defence, so far as I know, that Stanton ever made was in conversation with Howard eighteen days later when he said: Sherman “put the government entirely on the defensive by announcing in orders that terms had been agreed upon which would give peace from the Potomac to the Rio Grande, etc. This order appeared in the morning papers and, on account of it, in order to show the people why the government broke the peace established, I deemed it proper to publish some of the reasons for disapproving the terms.”<sup>4</sup> In view of the facts it is difficult to regard

<sup>1</sup> Gorham’s Stanton, vol. ii. p. 195. See in this connection John Sherman’s Recollections, vol. i. p. 355.

<sup>2</sup> p. 258.

<sup>3</sup> See vol. iii. p. 342.

<sup>4</sup> O. R., vol. xlvii. part iii. p. 476. I have changed the third person to the first.

this as a candid defence. Sherman's letter enclosing the agreement was dated April 18 and was sent by a special messenger who left for Washington early the next morning;<sup>1</sup> his Special Field Order, No. 58 bears date of the 19th. In this order he said: "The general commanding announces to the army a suspension of hostilities and an agreement with General Johnston and other high officials, which when formally ratified will make peace from the Potomac to the Rio Grande. . . . The general hopes and believes that in a very few days it will be his good fortune to conduct you all to your homes."<sup>2</sup> All the rest of it has to do with matters of military detail. Now Stanton's despatch to Dix, the Sherman-Johnston agreement, and Stanton's nine reasons were published in the New York *Herald*, Sunday, April 23 one day before the *Herald* or any other newspaper printed the Special Field Order, No. 58. April 24 the *Herald* gave to the public the field order and on the same day the New York *Tribune*, *Times* and *World*, the Washington *National Republican* and *Evening Star* published all the documents while the *National Intelligencer* failed to print the field order although its columns contained all the rest. The field order indeed attracted no attention. It was naturally obscured by the more important news which appeared previously or simultaneously. Whether, if published alone without the other documents, it would have had any such effect as Stanton attributed to it is exceedingly doubtful. It is probable too that the publication of this field order might have been prevented but, if that were impossible, all that was needed to rectify the error before the public was a simple statement that the President on the advice of General Grant, Secretary Stanton and the rest of his cabinet had decided not to ratify Sherman's agreement

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<sup>1</sup> Sherman's *Memoirs*, vol. ii. p. 354.

<sup>2</sup> O. R., vol. xlvii. part iii. p. 250.

for the reason that he had embraced in his convention matters appertaining exclusively to the civil authorities. Stanton's defence was obviously an afterthought; the real reason for his action was inherent in his character. Since the President's assassination and the threats against his own life he had been in a state of excitement which was intensified by his lack of physical courage. Accustomed to act impulsively on insufficient knowledge he lost his head when he read the agreement which Sherman had made with Johnston. It was so contrary to what he believed ought to be done that in his vehement rage he regarded the General as a public enemy whom it was his duty to expose to the people that others might not be led astray; and in carrying out his design he became a clever prosecuting attorney whose aim was to convict the accused rather than to let the whole truth appear.<sup>1</sup>

After sending his special messenger with the despatches to Washington Sherman apparently began to doubt whether his agreement with Johnston had been wholly discreet<sup>2</sup> and when Grant arrived at Raleigh he was not surprised that the terms he had given were rejected.<sup>3</sup> The tact and gentleness with which Grant treated Sherman, Sherman's ready acquiescence in the

<sup>1</sup> See the defence of Stanton by Gorham, vol. ii. pp. 173–180. But Sherman telegraphed Grant, April 22: “All we await is an answer from you and the President. . . . The troops ready for fight or home.” — O. R., vol. xlvi. part iii. p. 278. A petty suppression of the truth by Stanton may be seen in comparing Grant's whole despatch to him of April 24, *ibid.*, p. 293, and the part he gave to the press, *ibid.*, p. 311; *New York Times*, April 26. Grant wrote April 24: “I reached here this morning and delivered to General Sherman the reply to his negotiations with Johnston. *He was not surprised but rather expected their rejection.* Word was immediately sent to Johnston terminating the truce and information that civil matters could not be entertained in any convention between army commanders.” In giving the despatch to the press Stanton omitted the sentence italicized as well as the remainder of it where Grant palliated the mistake of Sherman. See General Cox's examination of this incident, *Reminiscences*, vol. ii. p. 507.

<sup>2</sup> O. R., vol. xlvi. part iii. pp. 266, 287.

<sup>3</sup> *Ibid.*, p. 293.

orders of his government and Johnston's courageous decision made all matters straight. Not the smallest harm had been done the Union cause by Sherman's error and everything was now arranged as it would have been in the first place had he acted with perfect discretion. But the mischief of Stanton's premature and unfair publication in the newspapers remained. April 28 Sherman received the *New York Times* of four days earlier and as he read he was wroth. "I perceive," he wrote to his wife, "the politicians are determined to drive the confederates into guerilla bands, a thing more to be feared than open organized war. They may fight it out, I won't. We could settle this war in three weeks by giving shape to the present disordered elements but they may play out their game. . . . The mass of the people South will never trouble us again, they have suffered terrifically and I now feel disposed to befriend them, of course not the leaders and lawyers but the armies who have fought and manifested their sincerity, though misled, by risking their persons. But the rascals who by falsehood and misrepresentation kept up the war, they are infamous."<sup>1</sup> "I do think that my rank, if not past services," he wrote to Grant, "entitled me at least to the respect of keeping secret what was known to none but the cabinet until further inquiry could have been made, instead of giving publicity to documents I never saw and drawing inferences wide of the truth."<sup>2</sup> "I have no hesitation in pronouncing Mr. Stanton's compilation of April 22 a gross outrage on me," he wrote to Rawlins, "which I will resent in time."<sup>3</sup> May 5 he wrote to Schosfield: "After Stanton's perfidious course toward me officially I can never confer with him again."<sup>4</sup>

Four corps of Sherman's army were ordered to march

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<sup>1</sup> April 28, 1865, Sherman's letters, MS.

<sup>2</sup> April 28, O. R., vol. xlvi. part iii. p. 334.

<sup>3</sup> April 29, *ibid.*, p. 345.

<sup>4</sup> *Ibid.*, p. 406.

to Washington. As he progressed northward he received more newspapers and his irritation became frenzy. In the journals of April 28 he saw a despatch of Halleck to the Secretary of War of two days earlier in which the General stated that Meade, Sheridan and Wright were acting under orders to pay no regard to any truce which Sherman had entered into and suggested that word be telegraphed to Wilson, who was operating in the Southwest, to "obey no orders of Sherman."<sup>1</sup> As Sherman neared Richmond Halleck desired to entertain him but he replied "I cannot have any friendly intercourse with you."<sup>2</sup> Halleck returned a soft answer to which Sherman rejoined that he considered Halleck's despatch of April 26 "rushed" by Stanton with "indecent haste before an excited public" a display of "deadly malignity" and added: "I will march my army through Richmond quietly and in good order, without attracting attention and I beg you to keep slightly perdu, for if noticed by some of my old command I cannot undertake to maintain a model behavior, for their feelings have become aroused by what the world adjudges an insult to at least an honest commander. If loss of life or violence result from this you must attribute it to the true cause — a public insult to a brother officer, when he was far away on public service, perfectly innocent of the malignant purpose and design."<sup>3</sup> The soldiers had taken the part of their general and the day on which they left Raleigh had manifested their indignation by burning a cart load of New York newspapers which were filled with abuse of Sherman.<sup>4</sup>

<sup>1</sup> O. R., vol. xlvii. part iii. p. 311; *New York Times, Herald*, April 28.

<sup>2</sup> O. R., vol. xlvii. part iii. p. 435.

<sup>3</sup> Ibid., p. 454, see also p. 387. General Cox (*Reminiscences*, vol. ii. p. 511 *et seq.*) while espousing warmly Sherman's cause is of the opinion that Sherman misjudged Halleck and gives a careful analysis of the evidence in the light of military law and custom, that is the best possible defence of Halleck. The impression however which I derived from the correspondence is that Halleck in a time-serving spirit joined in the hue and cry against Sherman.

<sup>4</sup> Slocum, *Century War Book*, vol. iv. p. 757.

"Unless Grant interposes from his yielding and good nature," he wrote to his wife May 10, "I shall get some . . . good opportunity to insult Stanton."<sup>1</sup> May 12 Sherman wrote to Logan: "Men who are now fierce and who would have the Army of the Potomac violate my truce and attack our enemy, discomfited, disheartened and surrounded, will sooner or later find foes, face to face, of different metal. Though my voice is still peace, I am not for such a peace as makes me subject to insult by former friends, now perfidious enemies. With respect, your friend."<sup>2</sup> After he had gone into camp at Alexandria he said in a letter of May 21 to a friend: "Yesterday General Grant and President Johnson, who know all, received me with marked courtesy and warmth. Mr. Stanton dare not come into my presence. He is afraid to meet me. I would not let Halleck review my troops at Richmond. I bade him keep to his room as my army passed through Richmond, and he had to stay indoors. I will insult Stanton in like public manner."<sup>3</sup> When his army was reviewed by the President in Washington he declined publicly to take the proffered hand of Stanton.<sup>4</sup>

It has been an ungracious task to present Stanton in so unfavourable a light, for an assessment of his character, balancing the good against the ill, shows that he deserved well of his country. For her he sacrificed health and physical strength and wore out his brain. Four months after he had gone into the cabinet he wrote truthfully in a private letter: "I knew that everything I cherished and held dear would be sacrificed by accepting office. But I thought I might help to save the coun-

<sup>1</sup> Sherman letters, MS.

<sup>2</sup> O. R., vol. xlvii. part iii. p. 478.

<sup>3</sup> Ibid., p. 547.

<sup>4</sup> This is the statement of Sherman's Memoirs, vol. ii. p. 377, and the general belief. Gorham, vol. ii. p. 198, presents evidence that Stanton did not proffer his hand to Sherman. Sumner wrote to Bright, June 5: "Sherman has one of his paroxysms arising from his excitable organization and is ruining himself by wild talk." — Pierce's Sumner, vol. iv. p. 253.

try and for that I was willing to perish.”<sup>1</sup> The rumour is that you are about to resign, telegraphed Governor Morton to Stanton December 21, 1862 “I believe that your duty to your country and the best interests of your nation require you to retain your position and I earnestly hope that you will do so.” From Stanton came the reply: “I shall never desert my post. Of this you may be sure.”<sup>2</sup> He was a great war minister and brought to his task an indomitable spirit, overpowering energy, inflexible honesty and hatred of all sorts of corruption. An illustration of this last trait is worth calling to mind. One evening when he was conversing with an officer at a reception, an official passed by whom he suspected of peculation. That man, said Stanton, “is a pretender, a humbug and a fraud. Did you ever in all your life see the head of a human being which so closely resembled that of a codfish?” “He is not responsible for his head or face,” the officer replied. “A man of fifty *is* responsible for his face!” was the emphatic retort.<sup>3</sup>

He was an efficient aid to Lincoln and the two wrought in harmony but he needed for the best results the wise dominance of the man who with discerning patriotism had called him to office.<sup>4</sup> He was sometimes narrow-minded. When Richmond was occupied by the Union troops General Weitzel permitted the churches to open on the following Sunday “on the general condition that no disloyal sentiments should be uttered.” The clergy of the Episcopal church omitted the supplication for the President of the Confederate States but prayed for those in authority. When knowledge of this came to Stanton he reprimanded Weitzel for having allowed the service to be read without the formal prayer for the President of the United States. Weitzel made

<sup>1</sup> O. R., vol. xix. part ii. p. 727.

<sup>2</sup> O. R., ser. iii. vol. ii. pp. 953, 954.

<sup>3</sup> Chittenden, Recollections of Lincoln, p. 184.

<sup>4</sup> See vol. iii. p. 578.

an explanation in regard to the omission which ought to have satisfied anybody that he had pursued the proper course but the Secretary nevertheless insisted that Weitzel should order the clergy to read the petition which had been omitted. When the matter was brought to the attention of Lincoln, he telegraphed to Weitzel: "I do not remember hearing prayers spoken of while I was in Richmond but I have no doubt you have acted in what appeared to you to be the spirit and temper manifested by me while there."<sup>1</sup> Lincoln's verbal instructions to Weitzel had been "to let them [the Richmond people] down easy," but Stanton was incapable of generosity to a prostrate foe. Weitzel in obedience to the Secretary of War gave the order that the President of the United States must be prayed for and then the clergy of the Episcopal churches united in a memorial to Lincoln explaining with respect and dignity that they waited only the proper ecclesiastical sanction for changing the phraseology of the prayer for President. This paper probably never reached Lincoln as he was assassinated two days after it left Richmond but this indorsement of April 27 appears upon it, "Disapproved. By order of the Secretary of War." On account of this absurd controversy the churches were closed for two Sundays and in the end Stanton carried his point, for the clergymen, after trying in vain to reach their bishop in order to obtain the proper authority, opened their churches and prayed for the President of the United States.<sup>2</sup>

Stanton's impetuosity put him frequently in the wrong but he could never bring himself to admit it. His overbearing desire, when he had once taken a stand, was to prevail. He gained an easy victory over the Richmond clergymen but his persistence in the wrong

<sup>1</sup> O. R., vol. xlvi. part iii. p. 724.

<sup>2</sup> Ibid., pp. 677, 678, 684, 696, 711, 712, 724, 737, 1001, 1006, 1010; Cox's Reminiscences, vol. ii. p. 509, note.

was a different affair when he encountered a sturdy antagonist like Sherman.

At times he chafed under the position of subordinate officer. Of the many anecdotes illustrating this, one at least is authentic. When an order for a certain object was brought from President Lincoln to the Secretary of War he said, "I shall not do it, sir." Why do you refuse to obey an order of the President? was asked. "I do not propose to argue the question," he replied; "I am responsible to the President and to him alone for my conduct."<sup>1</sup>

Despite his sternness of purpose and vindictiveness, he told Trumbull that the causeless arbitrary arrests made by subordinate officers had given him more pain "than almost anything else that had occurred during the war" and had cost him his sleep at night.<sup>2</sup> It is one of the inconsistencies of Stanton's character that he was eager to see Benjamin R. Curtis at the time of his visit to Washington in January, 1863. Curtis gives this account: "I had a long and interesting conversation with Mr. Stanton. . . . He is a strange man and one of the strangest things is, that he manifests a very strong feeling of regard, I might say affection for me. I had written a pamphlet directed against his acts<sup>3</sup> . . . calculated to excite (as in the mind of the President it has excited) hostile feeling. . . . I spent two hours with him discussing these very questions, in part, and when I came away he said he had not had so pleasant an evening since I saw him last February and begged me to come again."<sup>4</sup>

Lincoln thought highly of his war minister. A conversation with Judge E. R. Hoar in November, 1864 about cabinet appointments for the new administration, enabled him to announce his opinion clearly. In answer

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<sup>1</sup> Kasson in the House, Jan. 18, 1865.

<sup>2</sup> Senate, March 3, 1865.

<sup>3</sup> See vol. iv. p. 170.

<sup>4</sup> Life of B. R. Curtis, vol. i. p. 354.

to Judge Hoar's expression of feeling, "I hope whatever is done that Stanton will be retained in his position until the war is over," Lincoln said: "Mr. Stanton has excellent qualities and he has his defects. Folks come up here and tell me that there are a great many men in the country who have all Stanton's excellent qualities without his defects. All I have to say is, I haven't met 'em! I don't know 'em! I wish I did!"<sup>1</sup>

The capitulation of Johnston brought the war substantially to an end. May 4 General Richard Taylor surrendered to Canby all the remaining Confederate forces east of the Mississippi River.<sup>2</sup> Jefferson Davis in his flight southward from Greensborough was captured May 10 near Irwinville, Georgia, by a detachment of James H. Wilson's cavalry. When attempting to escape and ordered to halt by a trooper he had on his wife's water-proof cloak and a shawl thrown over his head and shoulders. It was early in the morning; and, as he relates the story of his hurried departure from his tent while it was still dark, he had picked up his wife's cloak supposing it to be his own raglan; the shawl was put about him by Mrs. Davis.<sup>3</sup> This is the basis of fact for the story that Davis attempted to escape in his wife's clothes, which is told with extensions and variations. The genesis of the story is difficult to explain from the Official Records. In the despatch May 11 of Pritchard, Lieutenant-Colonel of the Fourth Michigan cavalry, whose force effected the capture and whose despatch is the first intelligence of it, no mention is made of any such circumstance.<sup>4</sup> Nor is it spoken of in Wilson's two despatches to Stanton of May 12<sup>5</sup> which announce

<sup>1</sup> Conversation with E. R. Hoar at Concord, Feb. 7, 1894 afterwards reduced to writing by him at my request.

<sup>2</sup> O. R., vol. xlvi. part i. p. 59; vol. xlviii. part ii. p. 311.

<sup>3</sup> Confederate Government, vol. ii. p. 701.

<sup>4</sup> O. R., vol. xlix. part ii. p. 721.

<sup>5</sup> Ibid., pp. 732, 733.

to the War Department the fact of the capture. Harn-den, Lieutenant-Colonel of the First Wisconsin cavalry was also in pursuit of Davis. His force came upon Davis's camp a little later than the Michigan troops and had a fight with them, each party in the darkness of the woods mistaking the other for the enemy. Harn-den who afterwards made for himself and command a claim for a due share in the reward, wrote a full report May 13 in which there is no allusion to Davis's being clad in female attire.<sup>1</sup> He went to Wilson's headquar-ters at Macon on the morning of the same day and Wilson, who mentions his arrival, starts the story in the Official Records, sending a despatch to Stanton dated at half-past nine A.M.<sup>2</sup> in which he said: "The captors report that Davis hastily put on one of Mrs. Davis's dresses and started for the woods, closely pursued by our men, who at first thought him a woman, but seeing his boots while running suspected his sex at once."<sup>3</sup> Pritchard arrived at Macon the afternoon of the 13th and the next day Wilson said in his despatch to Stan-ton: "The device adopted by Davis to escape on the morning of his capture was even more ignoble than I reported it at first."<sup>4</sup> In the hands of the journalist, the story was given a higher colour. The New York *Herald* said editorially: "Davis slipped into his wife's petticoats, crinoline and dress but in his hurry he forgot to put on her stockings and shoes."<sup>5</sup> On account of the detestation in which the people of the North held Davis they received the story readily and gladly.<sup>6</sup>

<sup>1</sup> O. R., vol. xlix. part i. p. 517.

<sup>2</sup> May 13.

<sup>3</sup> O. R., vol. xlix. part ii. p. 743.

<sup>4</sup> Ibid., p. 760.

<sup>5</sup> May 16.

<sup>6</sup> For other references concerning the capture of Davis see O. R., vol. xlvii. part iii. p. 494; vol. xlix. part i. pp. 378, 537, 538; part ii. pp. 758, 772; B. N. Harrison, *Century Magazine*, Nov., 1883, p. 142; Nicolay and Hay, vol. x. p. 271, references to *Atlantic Monthly*, Sept., 1865; J. H. Reagan, *Annals of the War*, p. 155; South. Hist. Soc. Papers, vol. iv. p. 91; vol. v. pp. 110, 120, 122. At the time of the capture of Davis neither officers nor men knew of the large reward which had been offered for his apprehension.

The capture of Davis exploded the fallacy that he was carrying off a large amount of specie. Halleck said that this was estimated at six to thirteen millions; Thomas reduced the amount to from two to five millions in gold which General Stoneman<sup>1</sup> raised to five or six millions of treasure and specie.<sup>2</sup> Somewhat less than \$38,000 in silver was distributed to Johnston's soldiers; \$108,000 was divided among the troops who accompanied Davis as an escort to the Savannah River and were there dismissed by him. The balance of \$327,022.90, which was the exact amount in coin and bullion brought by the Treasury Department officials away from Richmond, was distributed in various ways among officers and men and at the time of the capture Davis had none of it and the officers accompanying him, but a small portion. There was also about \$230,000 of specie belonging to the Richmond banks which had been taken away with the Treasury train when the capital was evacuated but none of this was with Davis's party when they were captured.<sup>3</sup>

Davis was taken to Fort Monroe where he was closely confined.

May 26 Kirby Smith who had under his command all the Confederate troops west of the Mississippi River

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<sup>1</sup> In command of the district of East Tennessee.

<sup>2</sup> O. R., vol. xl ix. part. i. p. 546.

<sup>3</sup> Articles of M. H. Clark, acting Treasurer Southern Confederacy, South. Hist. Soc. Papers, vol. ix. (1881) p. 542; see ibid., vol. x. p. 139; vol. xxi. p. 304; Cox's Reminiscences with references to O. R.; Davis's Johnston's and Sherman's books; Century War Book, vol. ii. p. 766. General Palmer of the cavalry reported under date of May 12: "On the morning of the 8th inst., while searching for Davis near the fork of the Appalachee and Oconee Rivers, Colonel Betts, Fifteenth Pennsylvania Cavalry, captured seven wagons hid in the woods, which contained \$188,000 in coin, \$1,588,000 in bank notes, bonds, etc., of various Southern States, and about \$4,000,000 of Confederate money besides considerable specie, plate, and other valuables belonging to private citizens of Macon. The main portion of the above property comprised the assets of the Georgia Central Railroad and Banking Company which had been moved out of Macon at the approach of General Wilson." — O. R. vol. xl ix. part i. p. 551.

surrendered to Canby.<sup>1</sup> The number of men in the Confederacy surrendered and released on parole including Lee's and Johnston's armies was 174,223.<sup>2</sup> All armed resistance to the United States ceased. The war was at an end. Civil rulers and generals, people and soldiers had already accepted this as an accomplished fact and the grand review of the armies in Washington was notice to the country that their services were no longer needed in the field. May 23, three corps of the Army of the Potomac and Sheridan's cavalry led by General Meade marched from the Capitol through Pennsylvania Avenue and passing the White House were reviewed by President Johnson and General Grant. The next day General Sherman led over the same course four corps of his veterans numbering 65,000 men.

The reduction of the army and of war expenses which began immediately after the surrender of Lee was continued with method and vigour. May 1, 1865 there were over a million men in the ranks;<sup>3</sup> November 10, 183,000. From April 29 to August 7, 1865, 640,806 had been mustered out, by November 15, 800,963,<sup>4</sup> by June 30, 1866, 1,010,000 and four months later the volunteer army of the Civil War had practically ceased to exist.<sup>5</sup> It is well worth repeating that in the six months from May to November, 1865, 800,000 men had changed from soldiers to citizens; and this change in condition was made as if it were the most natural transformation in the world.<sup>6</sup> These soldiers were merged into the peaceful

<sup>1</sup> O. R., vol. xlvi. part i. p. 60; vol. xlviii. part ii. p. 602. The first convention Sherman made with Johnston included "the armies of Kirby Smith and Dick Taylor, so that afterwards," as Sherman expressed it, "no man within the limits of the Southern Confederacy could claim to belong to any confederate army in existence." — Sherman's testimony, May 22, C. W., 1865, vol. iii. p. 14.

<sup>2</sup> Report of Secretary of War, 1865, O. R., ser. iii. vol. v. p. 532.

<sup>3</sup> 1,062,038. Ibid., vol. iv. p. 1283.

<sup>4</sup> Report of Secretary of War, ibid., vol. v. p. 517.

<sup>5</sup> Ibid., 1866.

<sup>6</sup> "Your magnanimous and wise disarmament (the most truly magnanimous and the wisest thing in history)." — Goldwin Smith to J. M. Forbes, Dec. 17, 1865. Letters and Rec., J. M. Forbes, vol. ii. p. 151.

life of their communities without interruption to industry, without disturbance of social and moral order. This spectacle cannot fail to remind us that,

“Peace hath her victories  
No less renown’d than war.”

Happy indeed is the country where such words are the veriest commonplace.<sup>1</sup>

The reduction in expenses was likewise remarkable. The army cost over \$1,000,000,000 for the fiscal year ending June 30, 1865. Two years later when the peace establishment had been fixed at 54,000 men the cost was under \$100,000,000. The navy department made a similar reduction in force and expenses.<sup>2</sup>

Colonel Thomas L. Livermore, in a critical and painstaking computation has arrived at statistics giving the forces engaged and the casualties of the whole war. The number of enlistments in the Union army was 2,898,304; in the Confederate from 1,239,000 to 1,400,000. These enlistments were for various terms of service and some of the longest were not completed owing to the earlier conclusion of the war. For the purpose of a fair comparison these different terms must be reduced to one common term, for which Livermore wisely chose that of three years. The result is that the number of men in the Union army was equivalent to 1,556,678 serving three years; in the Confederate army, 1,082,119. In other words the Federal troops outnumbered the Confederate in substantially the ratio of three to two.

In the Union army 67,058 were killed on the field and 43,012 died of wounds (total 110,070); 224,586 died from disease and 24,872 from accidents and other causes. The

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<sup>1</sup> “Let us ever remember that our interest is in concord, not conflict; and that our real eminence rests in the victories of peace, not those of war.” — President McKinley’s Speech at Buffalo, Sept. 5, 1901.

<sup>2</sup> Reports of Secretary of War for 1865, 1866; Grant to Seward, Nov. 10, 1865, O. R., ser. iii. vol. v. p. 489; reports of Secretary of the Treasury for 1865, 1866, 1867, Secretary of Navy for 1865.

total deaths were thus 359,528. The number wounded in battle but recovered was 275,175. In the Confederate army 94,000 were killed or mortally wounded ; probably 164,000 died from disease, accidents and other causes.<sup>1</sup>

After showing clearly the processes by which he arrives at his results, Livermore presents some general considerations which are the product of a thorough study of the history and statistics of the Civil War enforced by his own fruitful military experience of four years. "To invade and hold a constantly increasing territory," he writes, "required many more troops than would have been needed in the Union army for actual fighting, and many Northern soldiers were employed in non-combatant's work such as was done by negroes for the Southern army. In physical resources such as transportation, arms, the munitions of war, food, clothing and hospital supplies the South was at a great disadvantage. The superiority of the North in these respects counterbalanced many men. With all these things taken into account, the long and resolute contest maintained by the South, and their many successes against superior numbers must always command admiration. The fact that their attitude was mainly defensive is not enough alone to account for all they achieved ; and careful study of the campaigns and battles, with the statistics and losses, leads to the belief not only that the Southern leaders were, at least up to 1864, bolder in taking risks than their opponents, but also that they pushed their forces under fire very nearly to the limit of endurance."<sup>2</sup>

After tables of analysis of many battles Livermore writes : "The foregoing comparisons do not give ground on which to award the display of superior courage or steadfastness to the armies as a whole on either side.

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<sup>1</sup> Numbers and Losses, pp. 1, 7, 8, 9, 22, 39, 40, 47, 48, 50-63 ; O. R., ser. iii. vol. v. p. 664.

<sup>2</sup> Numbers and Losses, pp. 70, 71.

The record on both sides places the people of the United States in the first rank of militant nations."<sup>1</sup>

Had all claims due been adjusted, the debt of the United States April 1, 1865 would have been in round numbers \$3,000,000,000, its maximum figure.<sup>2</sup> The cost of the war over the ordinary expenses of the government has been variously estimated at from \$2,250,000,000 to \$8,000,000,000, the figure of \$4,750,000,000 seeming to agree best with the facts and inferences;<sup>3</sup> \$3,000,000,000 would have been a generous compensation for the 4,000,000 slaves in the slave States when the war began.<sup>4</sup>

<sup>1</sup> Numbers and Losses, p. 77. Parkman wrote to the Boston *Advertiser*, June, 1863 : "Since the world began no nation has ever risen to a commanding eminence in the arts of peace, which has not, at some period of its history, been redoubtable in war. And in every well-balanced development of nations, as of individuals, the warlike instinct and the military point of honor are not repressed and extinguished but only refined and civilized. It belongs to the pedagogue, not to the philosopher, to declaim against them as relics of barbarism." — Farnham, Life of Parkman, p. 288.

<sup>2</sup> \$2,997,386,103.24. Report of Secretary of Treasury, 1868.

<sup>3</sup> Nicolay and Hay, vol. x. p. 339:

Cost to the Union . . .	\$3,250,000,000
Cost to the Confederacy	<u>1,500,000,000</u>
	\$4,750,000,000

Other estimates are :

Nash, quoted by H. C. Adams, Public Debts, p. 5, Cost to the Victors £450,000,000. Mulhall, Dictionary of Statistics, 4th ed., p. 541, £555,000,000. Edward Atkinson, *The Forum* Oct., 1888, p. 133, Industrial Progress of the Nation, p. 182, including three years of reconstruction.

Cost to the North . . .	\$5,000,000,000
Cost to the South . . .	<u>3,000,000,000</u>
	\$8,000,000,000

The English estimates are obviously too low unless the makers of them have reduced the money values to a gold basis.

<sup>4</sup> See vol. iii. p. 271 note 1. The number of slaves according to the census of 1860 was 3,953,857. I quote a significant remark of Parkman not because I agree with it but because it sets forth the thought of many minds. "American slavery," he wrote, "has now passed into history. It died a death of violence, to our shame be it said; for the nation had not virtue, temperance and wisdom enough, to abolish it peacefully and harmlessly." — Farnham, Life of Parkman, p. 287.

## CHAPTER XXVII

IN the progress of the narrative of military and political affairs certain matters pertaining to the life of the people and the governmental management of affairs have been left without treatment whilst others have been touched upon without an extended development. The purpose of this chapter is to fill these gaps in the history of the Northern people.

Life at the North during the war resembled that of most civilized communities which had full communication with the outside world. Business went on, schools and colleges were full, churches were attended and men and women had their recreations. Progress was made in the mechanical sciences and arts. Men strove for wealth or learning; and the pursuit of fame was by no means confined to military and political circles. Nevertheless that supreme business, the war, left its stamp on all private concerns and on every mode of thought. This was especially remarkable during the first eighteen months when the patriotic volunteers were individually encouraged by the sympathy and enthusiasm of those at home. "What of the war! Isn't it grand!" exclaimed Phillips Brooks in May, 1861.<sup>1</sup> As late as the summer of 1862 the excellent character of the soldiers was noted. "Our army," wrote Asa Gray July 2, "is largely composed of materials such as nothing but a high sense of duty could keep for a year in military life."<sup>2</sup> "Our best young men," said Agassiz in a private letter August 15, "are the first to enlist; if anything can be

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<sup>1</sup> Life by Allen, vol. i. p. 369.

<sup>2</sup> Letters, p. 482.

objected to these large numbers of soldiers, it is that it takes away the best material that the land possesses.”<sup>1</sup>

Times were hard at the commencement of the war and continued so until the autumn of 1862. “People are getting dreadfully poor here,” wrote Phillips Brooks from Philadelphia, June 29, 1861, “and even ministers are beginning to economize. Where will it end?”<sup>2</sup> August 5, 1862 the New York *Tribune* referred to “our paralyzed industry, obstructed commerce, our overloaded finances and our mangled railroads.”<sup>3</sup> All sorts of economies were practised. Coffee and sugar rose enormously in price.<sup>4</sup> Many families mixed roasted dandelion root with pure coffee while others made their morning beverage from parched corn or rye;<sup>5</sup> some substituted brown for white sugar. One by one luxuries disappeared from the table and few were ashamed of their frugal repasts. The wearing of plain clothes became a fashion as well as a virtue. The North was for the most part a community of simple living. Opera was only occasional, theatres were few and the amusements took on a character adapted to the life. A popular lecture, a concert, a church sociable with a charade turning on some striking event of the war, a gathering of young men and women to scrape lint for the wounded, a visit perhaps to a neighbouring camp to witness a dress parade of volunteers — these were the diversions from the overpowering anxiety weighing upon the people. Personal grief was added to the national anxiety. “In many of our dwellings,” wrote Harriet Beecher Stowe, “the very light of our lives has gone out.”<sup>6</sup>

<sup>1</sup> Life and Correspondence, p. 577; see also Autobiography, J. F. Clarke, p. 283.

<sup>2</sup> Life by Allen, vol. i. p. 371.      <sup>3</sup> See vol. iii. p. 559; vol. iv. p. 266.

<sup>4</sup> The Confederate States of America, Schwab, pp. 175-178. In referring to this painstaking and excellent work, I shall mention it henceforward as Schwab.

<sup>5</sup> Sala complained that the coffee was generally roasted rye. Diary, vol. i. p. 233.      <sup>6</sup> Life and Letters, edited by Mrs. Field, p. 267.

With great trials were mingled petty inconveniences caused by the derangement of the finances. Gold began to sell at a premium in January, 1862 and disappeared from circulation but this was no annoyance to the mass of the people for gold had not been used largely as currency and there was a ready substitute for it in the State bank-notes and the United States legal tenders. But the advance of gold was followed by that of silver. Silver change became an article of speculation, was bought at a premium by brokers, much of it was sent to Canada and by July 1, 1862 seems to have disappeared practically from circulation. Its sudden disappearance brought forth various remedies. Individuals prompter in action than municipalities or the general government flooded the country with shinplasters—small notes in denominations of from 5<sup>1</sup> to 50 cents, promises to pay of hotels, restaurants, business houses and country dealers. For a short while copper and nickel cents commanded a premium and tokens of metal were issued by tradesmen to take their place as well as that of the small silver coins. Secretary Chase, in a letter of July 14, 1862 to the chairman of the Committee of Ways and Means of the House of Representatives, said that "the most serious inconveniences and evils are apprehended" unless the issues of shinplasters and metal tokens "can be checked and the small coins of the government kept in circulation or a substitute provided." He proposed either to debase the silver coinage of the fractional parts of a dollar or to legalize in effect the use of postage and other stamps as currency.<sup>2</sup> Congress by act of July 17, 1862 prohibited the issue of shinplasters by private corporations or individuals, provided that postage and other stamps be furnished the public and that under certain limitations they be receivable in payment of dues to the United States and be redeemable in

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<sup>1</sup> Some of a smaller denomination were issued.

<sup>2</sup> *Globe*, p. 3405.

greenbacks. People at once preferred the stamps to the promises to pay of private individuals and hastened to the post-offices for a supply but what they gained in soundness they lost in convenience. The gummy back, fragile texture, small surface and light weight of the stamps made them the worst circulating medium ever known in the United States. To hand a New York stage driver his fare of two 3-cent postage stamps on a wet day, to buy a newspaper on a windy street corner, to make change hurriedly doing the sums necessary in the ordinary affairs of life with the intrusion of a common denomination of 3 cents (the stamp most frequently employed and the one of which there was the greatest supply) into the convenient decimal system — such matters increased the small vexations of life. Although the annoyance did not enrich our language with a new word, "stamps" in the slang of the day became a synonym for money. The counting out of 2, 3, 5 and 10 cent stamps became intolerable when large quantities of change were made, so that in places where various sorts of tickets were sold the stamps were put up in small envelopes marked in large figures 10, 25 and 50 cents as the case might be. This mitigated the nuisance only in part for cautious persons would insist on opening the envelopes and counting the stamps in order to see whether the contents tallied with the figure outside. The stamps became dirty and mutilated; losing their adhesive power they became unfit for postage. They had proved a poor substitute for shinplasters. But relief from both evils was afforded almost simultaneously by the Treasury Department and by various municipalities.

From the language of Chase's recommendation for the use of postage and other stamps as currency and from the provisions of the statute it would be impossible to divine the relief which was actually given by Congress and the Treasury Department. The Secretary at first

made an arrangement with the Postmaster-General for a supply of postage stamps but it being "soon discovered that stamps prepared for postage uses were not adapted to the purposes of currency,"<sup>1</sup> he construed the law liberally and issued the postage currency. This was in the form of small notes of which the 25 and 50 cent denominations were about one-fourth of the size of a dollar bill, the 5 and 10 cent somewhat smaller. On the 5-cent note was a facsimile of the 5-cent postage stamp, the vignette being Jefferson's head; for the 25-cent note this vignette appeared five times. Similarly constituted were the 10 and 50 cent notes, the vignette on the 10-cent stamp being Washington. The colour of the 5 and 25 cent notes was brown, that of the 10 and 50 cent green and when new they presented a neat appearance. To men and women who had been using shinplasters and soiled and worn postage and revenue stamps they were a deliverance. The issue of this postage currency began August 21, 1862 and crowds of people waited patiently in long lines at the offices of the Assistant Treasurer in New York and other cities for their turn to secure some of these new and attractive-looking notes. At the same time municipalities in different parts of the country issued fractional notes for the redemption of which the faith of the cities was pledged. Still the demand for the postage currency was greater than the supply. "With utmost efforts," Chase said in his report of December 2, 1862, "it was found impossible to keep pace with the public demand for this currency; and although the daily issue has been rapidly increased to \$100,000, and is being extended as fast as practicable to twice that amount the supply is yet largely deficient." The amount of postage currency issued from August 21, 1862 to May 27, 1863 was in round numbers twenty millions and it displaced gradually the shinplasters, postage

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<sup>1</sup> Report of Dec. 2, 1862.

stamps and notes of municipalities, not by the enforcement of the United States statute or of various State laws passed in times of previous monetary derangement but, as it appears, by the action of the public in refusing to accept aught but the postage currency. The New York *Herald* of January 12, 1863 said that "shinplasters of every kind except those issued by the government [were] vanishing out of sight" and that postage stamps were "only to be found in the hands of the cue which daily assembles at the post-office to have them redeemed."

By the act of March 3, 1863 Congress provided for the issue of fractional currency in lieu of the postage currency, and limited the amount of both kinds to a circulation of fifty millions. The Secretary of the Treasury in issuing the new notes gave up the facsimile of the postage stamps although the size of them remained substantially the same and the backs of them, at first brown, green, purple and red, were eventually green for all denominations. They were of the denominations 3, 5, 10, 15, 25 and 50 cents, were receivable for all dues to the United States less than \$5 except customs, and were exchangeable for United States notes. These supplanted gradually the postage currency; both in popular usage were termed "scrip." Desirable at first as a relief from greater evils, they became so worn and filthy with constant passing from hand to hand as to be objectionable on the score of cleanliness and health. It was a joy to most people when in 1876 these small paper notes began to be replaced by subsidiary silver coin and gradually to disappear from circulation although some regretted the paper fractional currency on account of its easy transmission by mail and its service in making up the fractional amounts of pay-rolls of mining and manufacturing concerns when the money for the men was put into envelopes as the best manner of its distribution.<sup>1</sup>

<sup>1</sup> My authorities are Knox's United States Notes, p. 100 *et seq.*; Appleton's Annual Cyclopaedia, 1862, p. 462; New York *World*, July 9, 1862, Jan. 10,

For a year, from July, 1862 to July, 1863, the people of the North suffered the bitterness of defeat. McClellan's failure on the Peninsula, Pope's defeat at the second battle of Bull Run, Burnside's disaster of Fredericksburg, Hooker's overthrow at Chancellorsville, but slightly

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1863; *New York Times*, July 12, 1862; *New York Herald*, July 13, 15, 23, Aug. 2, 1862, Jan. 12, 1863; *Columbus Crisis*, July 23, 1862; Schwab, p. 155; *Banker's Magazine* (New York), vol. xvii. pp. 317, 823.

"We saw yesterday a collection [of private shinplasters] probably far from complete which contained 92 different kinds." — *New York Times*, July 12, 1862. In the lobby of the Parker House, Boston may be seen some specimens, one of which reads: "Parker House. Good for five cents payable in sums of one dollar and upwards. H. D. Parker & Co." There are also 10, 25 and 50 cent notes. The 5 and 10 cent notes have the vignette of Franklin, the 25 and 50 cent that of Webster. Young's Hotel and Atwood's Oyster House, Boston also issued shinplasters. Salom's Bazaar, Boston issued paper notes of 1 cent and 3 cents.

The notes of one issue, presumably the first, of the fractional currency were smaller than the notes of the postage currency; the backs of the 5-cent were brown, the 10-cent green, the 25-cent purple, the 50-cent red. In later issues the notes were larger than the postage notes and the backs of all were green. I am indebted to Mr. Charles W. Jenks for the loan of a large collection of shinplasters, postage and fractional notes; to Mr. H. H. Wyman for samples of the fractional currency; to Mr. J. H. Benton for valuable information on the subject.

During the Civil War the postage on letters was 3 cents except for local or drop letters which was 2 cents, consequently the 3-cent stamp was the one most commonly in use. After the act of July 17, 1862 was passed and before the postage currency was ready it was impossible for the post-offices to supply the demand for postage stamps and the postmaster of New York City was ordered not to supply stamps for currency. — *New York Herald*, July 23, 1862; R. P. Falkner, *Political Science Quarterly*, June, 1901, p. 321. The humorous side of the employment of postage stamps was not lost sight of. *Harper's Weekly* on its comical page August 9, 1862 pictures the crowded platform of a street car. A man seeking refuge from a driving rain has managed to get a foothold on the step of a car and is hanging on with both hands, holding his folded umbrella under his arm, but, unable to get under cover, is being drenched with the rain. The conductor is shown reaching out his hand for his fare and the picture is thus described: "Under the above circumstances you are called upon to pay your fare — and hurry up! You have only postage stamps in your pocket and the old-fashioned sticky ones at that!" *Harper's Monthly* in a cut called "The Currency Question" pictures a hand-organ, a monkey, a German gentleman fingering money in his open wallet with the intention of putting some into the outstretched paw of the monkey. German gentleman — "Vedder I wonder vill he take postage stamps?"

Also the postage currency called forth jests. *Vanity Fair* of June 27, 1863 contains a picture illustrating "The Latest Currency Trouble." "Boy

relieved by the partial victories of Antietam and Stone's River, were a succession of calamities, the cumulative force of which would have broken the spirit of any except a resolute people who believed that their cause was just. "Sumner comes to dinner," sets down Longfellow in his journal, September 14, 1862. "He is very gloomy and desponding; and sighs out every now and then, Poor country! poor, poor country!"<sup>1</sup> "Another three months like the last six," wrote Governor Morton to Lincoln twenty-three days later, "and we are lost—lost."<sup>2</sup> "Things certainly are at their blackest now," wrote Phillips Brooks October 23, 1862, "a great deal blacker than when we ran from Bull Run. Because

(with agitation). 'Please marm the Grocer says he won't take no more postal bills 'cause they're a meejum for measles and such like.'"

The *Bankers' Magazine* for October, 1862 (p. 316) quotes the Albany *Journal*: "The mayor, Chamberlain and his deputy of Albany were busily employed in signing the ten-cent notes issued by order of the Common Council. They are very handsome in appearance, reflecting credit on the engravers." It (April, 1863, p. 823) quotes the *Philadelphia Ledger*: "New York and other Eastern points are suffering great inconvenience and much loss by an immense circulation of all sorts of trash [notes of cities]. . . . So intolerable has the nuisance become that everybody is denying them and quite a panic among the poorer classes is the result. . . . Nothing but the easy good nature of the community would have tolerated these trashy substitutes for money so long. . . . The corporation issues of Newark and Jersey City, by far the best looking of the trashy tribe and more popular than others on account of the nearness of those cities to New York, are included in the general decree of banishment. The people will take nothing but government postage currency for small change." I myself remember the fractional notes issued by the city of Cleveland. *Vanity Fair*, February, 1863 with a chronology as defective as the poetry complained thus:

"First came the nation's notes  
Then corporation notes  
Then private station notes, sounds what a run!  
Mere Rag Lane issues  
Of picturesque tissues  
One day they'll dish us as sure as a gun."

For an interesting and careful treatise on The Private Issue of Token Coins, see R. P. Falkner, *Political Science Quarterly*, June, 1901, p. 322 *et seq.*

<sup>1</sup> Life, vol. ii. p. 387.

<sup>2</sup> Foulke's Life of Morton, vol. i. p. 197.

then we all meant to be up again and do it. Now we are beginning to ask whether we shall or not.”<sup>1</sup> The most gloomy period was undoubtedly that following Fredericksburg.<sup>2</sup> “There is no question,” wrote Holmes to Motley December 17, 1862, “that this news has exercised a most depressing effect on all but the secession sympathizers. . . . We hope this is only temporary but it has dashed our spirits. . . . I am a man of large faith, and though the Devil is a personage of remarkable talents, I think the presiding wisdom is sure to be too much for him in the end. We are nervous just now and easily put down but if we are to have a second national birth it must be purchased by throes and agonies, harder, perhaps, than we have yet endured.”<sup>3</sup> Brooks’s father expressed the opinion of many when he wrote: “With all this slaughter and defeat I am almost in favor of intervention from abroad or compromise at home.”<sup>4</sup> “There were dark days,” writes Richards — “days when, as Brooks and I met on a street corner, after some bloody reverse of our armies, he could only wring my hand and say, ‘Isn’t it horrible?’ and pass on gloomily; days when it was easy to take counsel of one’s meaner fears and cry for peace at any price and try to patch up any miserable cabin of refuge from the storm which beat upon our hearts.”<sup>5</sup> During that year (July, 1862 to July, 1863) social clubs ceased to meet. Men when they heard of a disaster would give up some festive entertainment, would forego even a quiet evening at cards. They had no disposition for mirth. Their hearts were with their dead and wounded fellow-citizens on the Southern battle-field; they sat in quiet and brooded over their country’s reverses. “No thoughtful American opened his morning paper without dreading

<sup>1</sup> Life, by Allen, vol i. p. 428.

<sup>2</sup> See vol. iv. pp. 200, 221; Life of J. M. Forbes, Hughes, vol. i. p. 344.

<sup>3</sup> Life of Holmes, Morse, vol. ii. p. 172.

<sup>4</sup> Life, by Allen, vol. i. p. 435.

<sup>5</sup> Ibid., p. 450.

to find that he had no longer a country to love and honor.”<sup>1</sup> Lowell struggled against the depression of the period; the “freaks of irrepressible youthful spirit”<sup>2</sup> would at times crop out. “This New Year,” he wrote December 31, 1862, “comes in storm. But let us have a cheerful confidence that we are worth damning for that implies a chance also of something better.”<sup>3</sup> Yet Stillman writes truthfully of him: “The saddening and indelible effects of the war . . . modified his character for the graver and more profound;”<sup>4</sup> and what was true of Lowell applies to that great number who thought soberly and who, under the pressure of the conflict, developed into serious men.

The circumstances of the war were impressed daily upon people’s minds. Writing from Saratoga Springs July 24, 1863 Robert C. Winthrop gave an account of what any observing man might record during a similar journey anywhere in the North. “I met with three equally different pictures of the war in my journey hither. In the train near Rutland were eight or ten private soldiers returning after the expiration of their term of service, evidently glad to get back, and full of stories of their experiences and of the death of comrades. They were succeeded near Castleton by as many more, freshly drafted and on their way to the rendezvous,—intelligent, athletic young fellows, whose merriment seemed forced, and over whose countenances sad looks kept stealing. At another station was a group of women, young and old, all in tears at parting with another batch of recruits. Such scenes affect me deeply.”<sup>5</sup>

It is a striking fact that during this period of gloom, in the autumn of 1862, a revival of business began. From that time until the end of the war trade was

<sup>1</sup> Lowell on Lincoln (1864), but he applied the words to an earlier period.

<sup>2</sup> Stillman.

<sup>3</sup> Letters, vol. i. p. 326.

<sup>4</sup> W. J. Stillman’s Autobiography, vol. i. p. 278.

<sup>5</sup> Memoir by R. C. Winthrop, Jr., p. 228.

active, manufactories busy, labour constantly employed, and failures remarkably few. Railroad stocks had a sharp advance and the prices of the leading articles in the New York market rose steadily as measured in the currency of the land.<sup>1</sup> Pig iron is often called the barometer of industrial activity: the production of it increased with regularity during the years 1862, 1863 and 1864 and the value of it rose in a greater ratio. The average price per ton of No. 1 anthracite foundry pig iron at Philadelphia during those years was respectively, \$23.87, \$35.25, \$59.25.<sup>2</sup> It was a period of money-making and accumulation of wealth.<sup>3</sup> August Belmont in a letter to Lord Rokeby of May 7, 1863, spoke of "the eagerness with which for the last two months, the people of all classes have invested their money in the securities of the government;" and he added, "The North is united and prosperous."<sup>4</sup> At Saratoga Springs July 24 of the same year, a public man told Robert C. Winthrop in a private talk on the hotel veranda that "the country is coming out stronger and richer than ever — that half our debt (great as it is) is absorbed in currency and that everything is prosperous in spite of the war."<sup>5</sup> Harriet Beecher Stowe said, "Old Hartford seems fat, rich and cosey — stocks higher than ever, business plenty, — everything as tranquil as possible."<sup>6</sup> November 14, 1863 John Sherman wrote to his brother of "the wonderful prosperity of all classes, especially of laborers." "We are," he continued, "only another example of a people growing rich in a great war. And this is not shown simply by inflated prices, but by increased production, new manufacturing establishments, new rail-

<sup>1</sup> See Appleton's Annual Cyclopædia, 1863, p. 406; *ibid.*, 1865, p. 349; Schwab, p. 172. But see Schwab's table of prices reduced to a gold basis and remarks, pp. 175-177.

<sup>2</sup> Swank's Iron in All Ages, pp. 387, 391.

<sup>3</sup> See vol. iv. p. 266.

<sup>4</sup> Letters privately printed, p. 85.

<sup>5</sup> Memoir, p. 228.

<sup>6</sup> Probably November, 1863, *Life by Mrs. Fields*, p. 294.

roads, houses, etc. Indeed every branch of business is active and hopeful. This is not a mere temporary inflation caused by paper money but is a steady progress and almost entirely upon actual capital. The people are prospering and show their readiness to push on the war. Taxes are paid cheerfully and the voluntary donations for our soldiers and their families are counted by thousands."<sup>1</sup> The future demonstrated the correctness of Sherman's opinion.

For this prosperity we must seek a deeper cause than the inflation of the currency and the purchase of a large amount of materials of war by the government which might indeed stimulate business temporarily but could have no enduring effect for the good. It was a drawback to trade that we could not or did not conduct the war on a specie basis. The government purchased *materiel* to destroy the life and property of the enemy who had been part of the common country and in doing this its own waste was enormous. Prosperity does not come by the destruction of life and capital nor by the withdrawal from productive employments of two and one-half millions of men. It was the dominance of these factors in the minds of the prophets of evil that induced

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<sup>1</sup> Sherman's Letters, p. 216; see also John Sherman's Recollections, vol. i. p. 332. Secretary Chase said in his report of Dec. 10, 1863: "It is an error to suppose that the increase of prices is attributable wholly or in very large measure to this circulation [government notes]. Had it been possible to borrow coin enough, and fast enough for the disbursements of the war, almost, if not altogether the same effects on prices would have been wrought. Such disbursements made in coin would have enriched fortunate contractors, stimulated lavish expenditures, and so inflated prices in the same way and nearly to the same extent as when made in notes. Prices, too, would have risen from other causes. The withdrawal from mechanical and agricultural occupations of hundreds of thousands of our best, strongest and most active workers in obedience to their country's summons to the field, would, under any system of currency, have increased the price of labor, and by consequence the price of the products of labor, while the prices of many things would have risen, in part from other causes, as, for example, the price of railroad bonds from vast increase of income through payments for military transportation and the price of cotton from deficient supply." — *Globe*, App. p. 8.

so many predictions of speedy financial collapse yet the panic and commercial crisis did not come until 1873, eight years after the close of the war. The main cause of the revival of business, giving to it a reasonable degree of permanence, was that the liquidation consequent to the crisis of 1857 was at an end and by the forced curtailment of the production the demand caught up with the supply and exceeded it: there were more buyers than sellers and prices rose as they did when the depression following the panics of 1873 and 1893 was over. The natural cyclic movement was promoted by the good crops of 1861 and 1862 with the foreign demand for our breadstuffs; and it may be true that the war helped certain industries, notably the iron, by the government demand for their products and that the earnings of the railroads were increased by the transportation of troops and army supplies.

In truth the reaction from the crisis of 1857 had actually commenced in 1860<sup>1</sup> and, had it not been for the secession and the war, it would have shown itself in increasing prosperity the following year. An index to the course of business may be seen in the liabilities of those who failed: 1857, 266 millions; 1858, 74 millions; 1859, 51 millions. The failures would undoubtedly have continued to diminish in 1860 had it not been for the threatened political trouble which sent up the liabilities to 62 millions. In 1861, when the threat had become an accomplished fact and the South repudiated practically her debts to the North,<sup>2</sup> the failures reached the sum of 179 millions.<sup>3</sup> The course of immigration points in the same direction; the number of immigrants was large in 1857, declined in 1858 and 1859 and rose again in 1860.<sup>4</sup>

<sup>1</sup> See vol. iii. p. 56.

<sup>2</sup> *Ibid.*, p. 560.

<sup>3</sup> Round numbers are given. Appleton's Annual Cyclopædia, 1865, p. 349. On the philosophy of Commercial Crises and different theories concerning the same see Horace White's article in Lalor's Cyclopædia, vol. i. pp. 524-530.

<sup>4</sup> 1857, 246,945; 1858, 119,501; 1859, 118,616; 1860, 150,237. Bureau of Statistics, Washington.

It was unquestionably an element of safety in the business of 1863 and 1864 that it was done mostly for cash for the reason that money was plenty and perhaps the disturbance and uncertainty of the Civil War tended to cut down operations on long credit. "Nearly every man in debt is paying off his debts," wrote John Sherman May 7, 1863. "The inflation of the currency and the rise of property make this easy."<sup>1</sup> Unless men have extended their enterprises and are largely in debt it is not in the nature of things that a financial panic should occur. The paucity of commercial failures with the small liabilities denote sound business conditions. From 179 millions in 1861 the liabilities declined to 23 millions in 1862, 8 millions in 1863, and 9 millions in 1864:<sup>2</sup> these two last figures are wonderfully insignificant in view of the large transactions. The statistics of immigration mark the fluctuations of trade. The arrivals declined from 150,000 in 1860 to 89,000 each in 1861 and 1862, rising to 175,000 in 1863 and 193,000 in 1864.<sup>3</sup>

It had been a taunt of the Southerners that in the event of a war between the two sections grass would grow in the streets of the Northern cities. Now it could be retorted that never were the streets of the cities more active, never before so filled with carts and wagons loaded with merchandise nor so thronged with busy people. What mattered it, was asked, if prices were high so long as money was easily acquired?<sup>4</sup> From the West came the same story. "Commerce, business, manufactures and labor," said the *Chicago Tribune*, "are going on as in a profound peace save with a more impetuous and whirling activity than peace ever knew. The desolation of the war which has swept the South as with consuming wrath has not reached us."<sup>5</sup> When

<sup>1</sup> Sherman's Letters, p. 204.

<sup>2</sup> Round numbers. Appleton's Annual Cyclopædia, l.c.

<sup>3</sup> Round numbers.

<sup>4</sup> New York *Times*, March 1, 1864.

<sup>5</sup> May 12, 1864.

McCausland with a force of Confederate cavalry invaded Pennsylvania in the summer of 1864, at the time when he burned Chambersburg, he and his men were amazed to see all industries going on as if there were no war; and the conviction was forced upon them that they could not prevail over a people whom three years of conflict had seemingly disturbed so little.<sup>1</sup> That there was real prosperity was questioned by Democratic journals. The New York *World* maintained that the prosperity was apparent only; that although the labouring classes toiled hard and received high nominal pay they found it "difficult to make the two ends meet." The advance in their wages had not kept pace with the advance in price of articles which they consumed. "Butter has disappeared from their frugal tables; eggs, milk and even beef threaten to follow."<sup>2</sup> The Columbus (Ohio) *Crisis* said that "shoddy speculators and Treasury thieves" had imposed on people with their tale of prosperity when indeed no one was prospering but themselves.<sup>3</sup> Of greater weight were the arguments of the New York *Economist* that the apparent prosperity was fictitious<sup>4</sup> and of the Springfield *Republican*, a Union journal, that the labouring people were suffering by the war. They were working hard on hard fare. The cost of their living had doubled, not so their wages. "In many manufactories," it went on to say, "whose profits have been augmented beyond the wildest dreams of their owners, wages are only from twelve to twenty per cent higher than they were before the war and there is absolutely want in many families while thousands of young children who should be at school are shut up at work that they may earn something to eke out the scant supplies at home."<sup>5</sup> "There stalks through every great city the gaunt wolf of hunger and distress," said

<sup>1</sup> Conversation of McCausland with Thornton K. Lothrop, 1865.

<sup>2</sup> March 2, 31, 1864, see also July 16.

<sup>3</sup> June 1, 1864.      <sup>4</sup> Cited by the *Crisis*, ibid.      <sup>5</sup> Sept. 6, 1864.

Chanler a Democrat from New York in the House of Representatives.<sup>1</sup>

Subsequent labours of a statistician, who had excellent facilities for making his investigations, confirm the contemporaneous impressions of those who maintained that, if there were real prosperity, the labourer did not get his share of it. Under the direction of the Committee on Finance of the United States Senate a mass of statistics in regard to wages and prices was collected by a number of experts and these figures, as arranged and digested by Professor Roland P. Falkner, were embodied in a report made to the Senate March 3, 1893 by Senator Nelson W. Aldrich. Touching our present subject Falkner arrived at two conclusions: "During the war period the advance in wages was not commensurate with the advance in prices;" "Gold rose in value more rapidly than wages advanced and as a result wages, measured in gold, fell off rapidly until in 1865 they stood at about one-third less than in 1860."<sup>2</sup> The economist presents another aspect of this report and adds his comment: "Money wages responded with unmistakable slowness to the inflating influences of the Civil War. In 1865 when prices stood at 217 as compared with 100 in 1860, wages had only touched 143. The course of events at this time shows the truth of the common statement that in times of inflation wages rise less quickly than prices and that the period of transition is one of hardship to the wages-receiving class."<sup>3</sup>

In a question of this sort the historian must bow to the authority of the statistician and economist whose inductions are based on a mass of facts collected in a scientific manner. It is possible that farmers, bankers, traders and manufacturers may be prosperous and not the wage-earning class; indeed the generalizations of

<sup>1</sup> Jan. 19, 1864, *Globe*, p. 269.

<sup>2</sup> Report, pp. 177, 180.

<sup>3</sup> F. W. Taussig, *Yale Review*, Nov. 1893, p. 244. Schwab (p. 181) directed my attention to this article and to the Falkner report.

the statistician and economist appear to indicate that such was the case during the Civil War. But there must have been many exceptions to the rule. Labourers were in great demand and constantly employed. "There is no doubt of the fact," wrote Adams to Earl Russell April 18, 1863, "of a scarcity of laborers in the United States. I learn from private sources that the rate of wages is very much advanced." There is, wrote Seward to Adams three weeks later, "a marked advance in the prices of labor and skill consequent upon an industrial activity in agriculture and in the mechanical and manufacturing departments which has hitherto been unknown."<sup>1</sup> Amos A. Lawrence, J. M. Forbes, Henry Lee, Jr., and thirty-two other business men of Boston wrote to Stanton December 10, 1863: "In the free States the great numbers already drawn from the workshops and field have seriously embarrassed many branches of the industry upon which the production of the country depends. . . . We earnestly recommend that permission should be immediately given to the loyal States to recruit soldiers (against their quotas) in those parts of the rebel States within our control, both to fill up the white regiments now there and to create such black regiments as you may deem it expedient to authorize."<sup>2</sup> An act which complied substantially with this recommendation for all parts of the Southern Confederacy except Arkansas, Tennessee and Louisiana was passed by Congress July 4, 1864. Immigration was increasing yet such was the demand for labourers that Congress enacted a law to encourage more of them to come from Europe.<sup>3</sup> In some industries operatives were paid on a sliding scale with the result that their wages were advanced as prices rose. In Cleveland which may be taken as a fair example of an industrial town west

<sup>1</sup> Dip. Corr., 1863, part i. pp. 227, 254.

<sup>2</sup> O. R., ser. iii. vol. iii. p. 1162.

<sup>3</sup> Approved July 4, 1864.

of New England and New York City, it is a tradition among mechanics that times were hard under Buchanan and began to be good during the Civil War. It was a period when labouring men began to buy lots and build houses ; it is obvious that if they could save money and put the depreciated currency into some species of property they would be sharers in the general prosperity.<sup>1</sup> The worst sufferers were those on salaries such as salesmen, bookkeepers, teachers, college professors and ministers, whose stipends were not advanced as quickly as wages. The statistician who had before him a mass of figures, supports this statement as to one class : "In war times teachers suffered even more than wage-earners from the decreased wages due to depreciated currency and the general social disturbance."<sup>2</sup> What is true of the teachers will apply undoubtedly to others, whose means of living came from a monthly or yearly stipulated sum.

A debate in the House in January, 1864, in which sectional feeling was manifested, may contribute something towards the elucidation of this complex problem by exhibiting certain opinions conceived from diverse points of view. "I visited New England last summer" said Voorhees, a Democrat of Indiana. "I heard the

<sup>1</sup> "Heute nach Tische las Goethe mir die Scene vom Papiergelde [Faust, Zweiter Theil, act I.]. 'Sie errinnern sich' sagte er, 'dass bei der Reichsversammlung das Ende vom Liede ist dass es an Geld fehlt, welches Mephistopheles zu verschaffen verspricht. Dieser Gegenstand geht durch die Maskerade fort, wo Mephistopheles es anzustellen weiss, dass der Kaiser in der Maske des grossen Pan ein Papier unterschreibt, welches dadurch zu Geldeswert erhoben, tausendmal vervielfältigt und verbreitet wird. In dieser Scene nun wird die Angelegenheit vor dem Kaiser zur Sprache gebracht, der noch nicht weiss, was er gethan hat. Der Schatzmeister übergibt die Banknoten und macht das Verhältniss deutlich. Der Kaiser, anfänglich erzürnt, dann bei näherer Einsicht in den Gewinn hoch erfreut, macht mit der neuen Papiergabe seiner Umgebung reichliche Geschenke und lässt im Abgehen noch einige tausend Kronen fallen die der dicke Narr zusammenrafft und soglich geht, um das Papier in Grundbesitz zu verwandeln.' " — Gespräche mit Goethe von Eckermann, 27 Dezember, 1829.

<sup>2</sup> Falkner's Report, p. 189.

swelling hum of her manufactories and saw those which only a short time ago worked but a few hands now working their thousands and rolling up their countless wealth. I felt that it was an unhealthy prosperity. To my mind it presented a wealth wrung from the labor, the sinews, the bone and muscle of the men who till the soil, taxed to an illegitimate extent to foster and support that great system of local wealth." Morrill, a Republican of Vermont, came as a representative of an agricultural State to the defence of the manufacturers, saying that many of them would have been "utterly prostrated" had it not been for the inflation of the currency. We should be glad, he urged, that they are profitably employed for they are creating a market for our agricultural products. "In the West a large and increasing amount of capital is being invested in manufactures" and before long Illinois and other Western States will on account of cheap coal turn out a number of manufactured articles at a lower cost than New England. Allen, a Democrat from Illinois, declared: "The manufacturers of New England are growing rich; they boast of the prosperity of their people. I would to God the agricultural interests of the West could thus boast. While they have been able upon their products to realize within the last two years more than three hundred per cent upon their goods than they did four years ago we in the West are selling them our wheat at a dollar a bushel and our beef at less price than we received three years ago; and that too in a depreciated currency. Three years ago a bushel of wheat in the market would purchase ten yards of common domestics of New England manufacture. To-day it will purchase but two. We are therefore paying an indirect tax unprecedented in the history of the country; and we are paying that bonus to New England manufacturers and the government together." Dawes, a Republican of Massachusetts, maintained that

the real estate of the great Northwest had risen millions in value where the property of New England had risen thousands. Washburne, a Republican of Illinois, defended New England against the sectional and unpatriotic attacks of Western members. Wilson, a Republican from Iowa, questioned the statement of prices made by the Democrats and asserted on the contrary that "the agricultural people of the Northwest are to-day receiving higher prices for their agricultural products than they ever have received before;" and it is New England who is our best customer. Grinnell, a Republican from Iowa, said that "the Northwest never was more prosperous than it is now."<sup>1</sup>

The balance of contemporaneous evidence turns to the view that the country was prosperous in the years 1863, 1864. According to the cyclic theory, prosperity was due and had there not been a sound basis for it a financial crisis would have soon followed such a year as 1864, when business was feverish and speculation wild. "The general prosperity of the country is so marked," wrote Senator Sherman January 29, 1864, "that I am afraid of a reaction or a collapse." Secretary Chase said April 15 in a private letter to the President from New York City: "Two topics seem to occupy exclusively the attention of New York—speculation and the Metropolitan Fair. To-day the tidings from Paducah create a momentary diversion, something in this way: 'A horrible affair that at Paducah.' 'Yes; really 'twas terrible.' Then a pause. Then: 'How's gold to-day?'"<sup>2</sup> "There is a reckless money-making spirit abroad," wrote Thurlow Weed two days later, "which, profiting by our disasters, favors a long war."<sup>3</sup>

<sup>1</sup> *Globe*, p. 304 *et seq.*

<sup>2</sup> Warden, p. 578. The Metropolitan Fair was the Fair of the Sanitary Commission. The affair at Paducah was the reported massacre of negro troops at Fort Pillow after the capture by assault of the fort by Forrest.

<sup>3</sup> Life, vol. ii. p. 443. See report of a conversation in the street cars, when a man "expressed his hopes that the war would last, that he might

All authorities agree that in 1863 and 1864 a large amount of money was spent for luxuries ; the contrast with the simple living of the first year and a half of the war was striking. Importations were enormous. In 1862 there was a small excess of exports over imports ; in 1863 the balance on the other side was 39 millions, in 1864, 158 millions.<sup>1</sup> December 20, 1862 a dealer in cashmere shawls in London told Charles Francis Adams that most of them were sold in America "but the trouble had stopped the trade until lately but now he understood from there more than ever were selling in New York."<sup>2</sup> Never before, it was stated, had New York "used so much foreign finery" ; and it seemed to be generally agreed that the community was "running riot" in "prodigal expenditures and unwonted luxury."<sup>3</sup> So it was in the West. "We are clothed in purple and fine linen," said the Chicago *Tribune*, "wear the richest laces and jewels and fare sumptuously every day."<sup>4</sup> It was the newly rich who made most of this ostentatious display : they were classed as "shoddy" or "petroleum" people. Those to whom the term "shoddy"<sup>5</sup> applied had made their money out of government contracts, particularly in furnishing inferior clothing to the soldiers. The "petroleum" people had grown suddenly rich from the development of the coal-oil region of western Pennsylvania. But whoever bought the goods, it was acknowledged that gold must be sent abroad to pay for the foreign luxuries.

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complete his fortune." — Boston *Courier*, March 10, 1863. "Such manufacturers and traders as are in luck and fast getting rich may think the war a blessing." — Springfield *Republican*, Sept. 6, 1864. Governor Andrew in a private letter of Sept. 13, 1862, spoke of "the contractors who like a long war and were angry that Stanton tried to shorten it." — Letters and Recollections, J. M. Forbes, vol. i. p. 332.

<sup>1</sup> Rates of Duty on Imports, p. 319.

<sup>2</sup> Diary, MS.

<sup>3</sup> New York *Times*, April 2, *World*, March 31, 1864 ; Sala's Diary in America, vol. ii. pp. 175, 178, 183.

<sup>4</sup> May 12, 1864.

<sup>5</sup> The negro head waiter at a Saratoga hotel told Sala, "Shoddy sa is ver ruination ob real style." — Diary in America, vol. ii. p. 271.

The course of foreign exchange was injuriously affected by the deficiency of the corn crop of 1863. "Mr. Osborne of the Illinois Central Railroad," wrote Quartermaster-General M. C. Meigs January 15, 1864, "is here to bring to the knowledge and notice of the government the great deficiency in the winter corn crop, which he estimates at \$200,000,000<sup>1</sup> loss to the country, the greatest calamity we have had since the outbreak of the rebellion. The whole North and East is apparently notoriously and extravagantly prosperous. Importations are enormous, some of great importance and value to the country; machinery, tools, etc., which deficient labor prevents our making at home; but a large portion of the importation is of luxuries, and as the deficient grain crops leave us no grain for exportation and as England has a most abundant crop of cereals we are likely to be called upon to pay for these luxuries in gold. European merchants in New York want gold as exchange for all their orders. They do not trust us and look for a period of great depression and financial distress."<sup>2</sup> The excess of exports of specie for 1863 was 54 millions; for 1864, 91 millions.<sup>3</sup> No doubt was entertained that this was an alarming drain of coin<sup>4</sup> and a fertile cause of it was brought home to the women of wealth and society by a letter of Hooper and Rice, Congressmen from Boston, in answer to a request for information from the ladies of their city. They said that the annual value of the importations of silks, laces and embroideries was about

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<sup>1</sup> An extravagant estimate.

<sup>2</sup> O. R., ser. iii. vol. iv. p. 1054.

<sup>3</sup> Rates of Duty on Imports, pp. 320, 321.

<sup>4</sup> It did not disturb the optimism of Seward although he appreciated the fact. "The importations are enormous," he wrote May 21, 1864, "and the shipment of gold is increased by the high rate of interest adopted by the banks of England and France. The flood of immigration is on the increase. Ultimately the nation cannot fail to be the gainer, that sends out its gold and receives in exchange free men from foreign countries, to extract the metals from its mines and to expand cultivation over its territories." — Life of Seward, vol. iii. p. 221.

\$33,500,000. Ladies of high social position in New York City began a movement for abstinence from luxuries which spread to many other cities; and to further it a paper was circulated reading: "For three years or during the war we pledge ourselves to purchase no foreign article of dress."<sup>1</sup> This movement was undoubtedly one of the influences among others of greater power which brought about a change for the better. Imports for the twelve months ending June 30, 1865 as compared with the preceding year fell off 78 millions and the excess of the exports of specie was 23 millions less.<sup>2</sup>

The gayety and amusements were an effective contrast to those which prevailed in the early days of the conflict. Frederick W. Seward in a letter at the time described the aspect of Washington in the winter of 1864: "We seem to have reached a new stage in the war. Gayety has become an epidemic in Washington this winter, as gloom was last winter. There is a lull in political discussions; and people are inclined to eat, drink and be merry. The newspapers can furnish nothing more interesting to their readers than accounts of parties, balls and theatres, like so many court journals. Questions of etiquette are debated with gravity. People talk of 'society' who never before knew or cared about it. A year ago the Secretary of State was 'heartless' or 'un-patriotic' because he gave dinners; now the only complaint of him is, that he don't have dancing. It is a sign of a changed state of feeling everywhere, that all the Northern cities have given up mourning and grumbling, and are devoting themselves to festivities and fairs."<sup>3</sup> A comparison of the theatrical and operatic advertisements in the New York, Philadelphia and Boston newspapers between 1862 and 1864 shows a remarkable

<sup>1</sup> *New York Tribune*, May 26; *Springfield Republican*, May 10, 12, 1864; *Sala's Diary*, vol. ii. p. 189.

<sup>2</sup> *Rates of Duty on Imports*, pp. 319-321.

<sup>3</sup> *Life of Seward*, vol. iii. p. 207; see also *Julian's Recollections*, p. 371.

increase in the number of public amusements and the comments on them evidence eager and generous patronage, for the houses appear to have been crowded nightly.<sup>1</sup> Cities which had never before possessed a theatre commenced to have regular theatrical performances.

It was a prevalent impression that in the midst of this speculation, extravagance and luxury, morals declined. This new-blown luxury is instilling a moral poison into our popular character, is the comment of the New York *Times*.<sup>2</sup> "Our people as a nation," exclaimed a Copperhead journal in Ohio, "are sinking to the lowest depths of depravity."<sup>3</sup> More worthy of attention on account of the bill of particulars and the mark of careful reflection is the editorial article in the Springfield *Republican*. "It is a sad, a shocking picture of life in Washington," the writer said, "which our correspondents are giving us. A bureau of the Treasury Department made a house of seduction and prostitution. The necessities of poor and pretty women made the means of their debauchery by high government officials. Members of Congress putting their mistresses into clerkships in the departments. An honorable senator knocked down in the street by a woman whom he had outraged. Whiskey drinking *ad libitum*. The government cheated in contracts and openly robbed by its employees. Writes our most careful correspondent, a long resident at the capital — 'Washington was never quite so villainously corrupt as at the present time. In the palmy days of Southern rule, of slavery, there was not half the corruption there is now.' We do not doubt this is strictly true."<sup>4</sup> Robert C. Winthrop in an address delivered to

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<sup>1</sup> See New York *Tribune*; Philadelphia *Inquirer*; Boston *Daily Advertiser*, Jan.-March, 1862 and 1864.

<sup>2</sup> April 2, 1864.

<sup>3</sup> Columbus *Crisis*, May 4, 1864.

<sup>4</sup> May 7, 1864. In relation to this see Report No. 140, House of Representatives, 38th Cong. 1st Sess. made June 30, 1864, pp. 14-17, 21, 148, 151, 209, 210.

the American Tract Society in Boston, May 24, 1864 spoke of "the flood of vice and crime, of immorality and irreligion, which is sweeping so wildly over our land. No one can be blind," he added, "to the reckless extravagance, the dishonest contracts, the gambling speculations, the corrupting luxury, the intemperance, profligacy and crime, which have followed with still accelerating steps in the train of the terrible struggle with which we are engaged. No one can fail to perceive the danger that a real or even a professed patriotism may be made the cover for a multitude of sins, and gallantry on the field of battle be regarded as a substitute for all the duties of the decalogue."<sup>1</sup> Lowell who held a brief for the war wrote when it was over: "It is true that by the side of the self-devotion and public spirit, the vices and meannesses of troubled times have shown themselves, as they will and must. We have had shoddy, we have had contracts, we have had substitute brokerage, we have had speculators in patriotism, and still worse, in military notoriety. Men have striven to make the blood of our martyrs the seed of wealth or office. But in times of public and universal extremity, when habitual standards of action no longer serve, and ordinary currents of thought are swamped in the flood of enthusiasm or excitement, it always happens that the evil passions of some men are stimulated by what serves only to exalt the nobler qualities of others. In such epochs evil as well as good is exaggerated. A great social convulsion shakes up the lees which underlie society, forgotten because quiescent, and the stimulus of calamity brings out the extremes of human nature, whether for good or evil."<sup>2</sup>

On a question so elusive as the morals of a community little more can be done by the historian than to present the impressions of contemporary observers unless

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<sup>1</sup> Memoir, p. 233.

<sup>2</sup> Written in 1865, Political Essays, p. 179.

he be prepared to study thoroughly the ethical history of the thirty-nine years succeeding the war.<sup>1</sup> Only in that way will he be able to arrive at satisfying generalizations. Had the war ended in the summer of 1862 with the destruction of slavery at a time when simple living and high moral ideas prevailed at the North, it might have been said that the patriotism and self-sacrifice of the people remained untainted by vice. A long war is more demoralizing than a short one. Moreover evil was rampant in 1863 and 1864, as it would not have been in two years of speculation, extravagance and luxury, in time of peace. Yet the heart of the nation was sound and the unusual tendency towards personal vice was righted in the succeeding years. If the war had been one of conquest simply, the social developments of the last two years of it must have been regarded with unmixed concern; but in the compensations was salvation. That the war for the Union and for the abolition of slavery had been fought to a conclusion and a character like Abraham Lincoln developed were elements of moral uplifting which no vices of the time could countervail. As Lowell put it, "The minds of men were sobered, braced and matured as the greatness of the principles at stake became more and more manifest; their purpose instead of relaxing was strained tighter by disappointment and by the growing sense of a guidance wiser than their own."<sup>2</sup> Yet, balancing all the considerations in the belief that the conflict was just and unavoidable on the part of the North, it would be impossible to deny that the war brought gross evils in its train.

It is now my purpose to mention certain manifestations of what I shall call public immorality. Joseph Holt and Robert Dale Owen were appointed a commission by Secretary Stanton to audit and adjust claims on the War Department. Before making their report

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<sup>1</sup> 1865-1904.

<sup>2</sup> Written in 1865, *Political Essays*, p. 221.

July 1, 1862 they had secured deductions of nearly 17 millions from claims amounting to 50 millions. For instance a middleman who had a large contract for arms was induced to make a deduction of \$580,000; an importer took off a million from the amount of his claim for sabres and guns. The system of making contracts was careless and some of the contractors had cheated the government when they would not have thought of being anything but honest in private transactions. The government had made "lamentable losses" in "loose and irregular transactions" and "a large proportion of our troops were armed with guns of a very inferior quality." Many contracts were made with "rapacious and unscrupulous" middlemen when they should have been made directly with the manufacturers themselves. A large manufacturer, who had failed to obtain a contract for muskets, received an offer for 200,000 guns from a trader who had been his successful competitor. Worst of all a senator received \$10,000 for securing an order from the War Department.<sup>1</sup> The report referred largely to affairs during the administration of the War Department by Cameron.<sup>2</sup> The action of two legislative bodies furnishes an indication to what extent things had gone wrong. The Michigan legislature by resolution January 11, 1862 mentioning the charge that "traitors in the disguise of patriots have plundered our treasury, destroyed our substance and paralyzed our efforts by a system of fraud and peculation" asked for legislation making such commission of frauds "a felony punishable by imprisonment for years or for life" or even "by death upon the gallows." The Ohio legislature one month later regarded "with surprise, anxious alarm, pain and regret the evidences that have reached us and the disclosures that have been made in Congress of wastefulness, fraud and peculation

<sup>1</sup> O. R., ser. iii. vol. ii. p. 188.

<sup>2</sup> On Cameron's administration, see vol. iii. p. 573.

based upon deep corruption among the subordinate agents of our national government in connection with supplies for the army" and asked Congress "to provide suitable and effective laws against all manner of fraud."<sup>1</sup>

There was unquestionably an improvement under Stanton. He himself not only hated corruption in all its forms, but detested every contractor who made more than a reasonable percentage out of his business with the government. His unbending honesty was enforced by a talent for executive direction; these two qualities made themselves felt throughout his department. But the system under which a small peace establishment had been managed was inadequate to the enormous transactions now thrust upon the War Department and abuses and frauds were inevitable even under Stanton and his able and honest assistants. A special Senate committee of three was appointed to inquire into the facts "in regard to the chartering of transport vessels for the Banks expedition" (to New Orleans) and on February 9, 1863 Grimes the chairman made a report on its behalf. Two of the instances he cited are examples of what was undoubtedly occurring in many other parts of the government service, and two of his deductions may well have a wider application. "A Prussian by birth, an Israelite by descent, a pedler and horse jockey by profession," who, in selling horses to the government, had made illicit profits by bribing an inspector and three government clerks, turned up as an extensive ship-owner (though comparatively poor a few months previously) chartering thirteen transports to the War Department. These transports cost him \$65,000, but at the rate *per diem* of charter the committee estimated that if the engagement lasted a year his net profit would be \$293,000. Another man was permitted to enjoy a practical monopoly of chartering vessels. "He,"

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<sup>1</sup> Mis. Docs., Nos. 34, 44, 37th Cong. 2d Sess.

the chairman of the committee states, "was a poor man eighteen months ago with a character not wholly above reproach ; he is now rich and fast growing richer by the receipt of a large daily revenue from commissions upon the earnings of vessels still in the government employment. The bestowal of this large patronage almost exclusively upon him cannot be reconciled with any theory of strict integrity on the part of the government officers. Although the testimony may not warrant the conclusion that any officer actually shared with him the profits derived from his business, yet the fact that these officers, who knew all the circumstances, acquiesced in the continuance of this monopoly should subject them to the most severe reprehension." This is an example stated officially of what was common talk in every city, village and town. The man who had secured a government contract was looked upon as being on the high-road to wealth. Here are two conclusions of the committee : they had discovered "gigantic and shameless frauds on the government"; they "are overwhelmed with astonishment and sorrow by the revelations which have been made; but they believe that nothing which so intimately concerns a free people should be concealed from them."<sup>1</sup> Some of the frauds were characterized by the cunning belonging to a special trade. "Before leaving Louisville" wrote Charles A. Dana September 8, 1863 "impressive testimony was presented to me of various frauds in the quartermaster's department, there and here. There is an extensive swindle now being consummated at Louisville by the furnishing of two-year-old mules on a contract requiring three-year-olds."<sup>2</sup>

There were frauds, too, in the Navy Department a common mode of which is illustrated by the statement of Grimes in the Senate. Phelps, Dodge & Co., a large house in New York City dealing in metals proposed to

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<sup>1</sup> These facts and quotations are from Grimes's report, Rep. No. 84, 37th Cong. 3d Sess., pp. 2, 8, 24, 36.

<sup>2</sup> O. R., vol. xxx. part i. p. 183.

furnish tin at 29 cents per pound which they considered a low price. Their bid was rejected but a naval contractor afterwards bought from them the same lot at their price of 29 cents and turned it in to the Navy Department at 27 cents, the bid which had secured the contract. The contractor made his profit by cheating the government in false weight which he was enabled to do by corrupting the agent and master mechanic who were to receive the tin.<sup>1</sup> Grimes showed how oils were adulterated and how fictitious bidding had been reduced to a science. He maintained that frequently the civil engineer or master workman at the navy-yard who made the estimates was in collusion with the contractor; that "navy agents, clerks, master workmen, inspectors and other servants of the government have been debauched by bribes, promises and threats in order to secure the prompt payment of bills and to induce them to receive and pay for short measure, weight and count."<sup>2</sup> Hale, the chairman of the Committee on Naval Affairs, who differed widely from Grimes in many of his statements and did not believe in his proposed remedy, nevertheless declared: "I agree entirely with the senator that gross, enormous, outrageous frauds have been perpetrated upon the Navy Department and in the Navy Department."<sup>3</sup>

The story of corruption in war is an old one—as old historically at any rate as Greece and Rome—and there would be little reason for thinking the corruption greater during our Civil War than in other countries in their wars of the nineteenth century, with the exception of Prussia and Germany, were it not that our system of preparation was not equal to that of most European nations. Grimes saw clearly the defect in the navy and his assertion might be applied with greater force to the

<sup>1</sup> Grimes, April 12, 1864, *Cong. Globe*, p. 1521.

<sup>2</sup> Ibid., Senate, May 23, 1864, *Globe*, p. 2406 *et seq.*

<sup>3</sup> *Globe*, p. 2411; see *New York Tribune*, April 12, 1864.

army. "We are attempting to administer the affairs of the Navy Department," he said, "with an expenditure of \$140,000,000 per annum under a system that was established for its administration when its expenses were less than \$1,000,000 per year."<sup>1</sup> In addition, the spoils system in the civil service extended to the military; and place and promotion went too often by influence instead of by merit. Thus the way was made easy for secret commissions from the seller to the buyer which was the manner of a large part of the dishonesty during our war; and considering that until recently the business of the United States and England was honeycombed with that sort of bribery it was sure to follow our faults of administration.

Bad as the corruption was it has undoubtedly been much exaggerated. The Democrats through their speakers and press and in their private conversation were persistent in their attacks upon this vulnerable part of the government, believing the office-holders to be thoroughly corrupt.<sup>2</sup> Many in England and America gave credit to the irresponsible London journalist who thought he had found what he set out to discover and wrote that such a system of "venality, corruption and fraud" as obtained in the United States had never been seen "since the Prætorian Guards sold the Roman Empire to the highest bidder." "Go where you will," is another of his observations, "it is the same old intolerable story of robbers sitting in high places, . . . of Cacus — enriched by many beef contracts — on the bench."<sup>3</sup>

Through personal enmity, charges might originate on insufficient foundation. When Dana was at Nashville in September, 1863 Governor Johnson told him that

<sup>1</sup> Senate, May 23, 1864, *Globe*, p. 2411.

<sup>2</sup> For example, *New York World*, Feb. 27, 1864; *Columbus Crisis*, May 4, 1864.

<sup>3</sup> My Diary in America in the midst of the War, G. A. Sala, vol. ii. pp. 62, 340. His preface to America Revisited (*i.e.* in 1880), p. viii, warrants I think the word "irresponsible."<sup>4</sup>

Rosecrans's chief of detective police "is deep in all kinds of plunder and has kept the army inactive to enable his accomplices and himself to become rich by jobs and contracts." This was a confidential statement without the "allegation of any special facts."<sup>1</sup> Dana gives no opinion as to the truth of the charge but to judge from the tenor of the despatch, the vindictiveness of Johnson and the character of Rosecrans, it seems improbable. A very damaging document on account of its probable truth in details is an article written by Colonel Henry S. Olcott and published in the *Philadelphia Weekly Times* somewhere about the year 1878. Olcott was appointed Special Commissioner by Stanton to investigate frauds, and for his work in this line received a high compliment from Meigs;<sup>2</sup> later he served in the same capacity on commission of the Secretary of the Navy. He has written a startling article drawing his data to a large extent from contemporary reports which he made to the Secretary of War; and while the instances of fraud he furnishes are entirely in keeping with the other evidence, his loose generalizations are misleading. At the close of his paper he makes this summing up: "It is my deliberate conviction, based upon the inspection of many bureaus, and the examination of some thousands of witnesses, in every walk of life, that at least twenty, if not twenty-five per cent of the entire expenditures of the government during the rebellion were tainted with fraud. That is to say that over \$700,000,000 dollars were paid to public robbers, or worse than wasted, through improvident methods."<sup>3</sup> Olcott's reports have not been printed in the

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<sup>1</sup> O. R., vol. xxx. part i. p. 183.

<sup>2</sup> I have assumed that the W. S. Olcott of the quartermaster-general's report, Nov. 3, 1864, O. R., ser. iii. vol. iv. p. 886, and the Henry S. Olcott of the article are one and the same man.

<sup>3</sup> I make this quotation from the article as printed in the *Annals of the War*, published by the *Philadelphia Weekly Times* (1879), p. 728.

Official Records and a pretty thorough search has failed to find them in any of the congressional documents. He uses however some contemporary material, making a citation from his third semiannual report, printing a telegram from Stanton, two letters from Fox and an affidavit from William E. Dodge. Yet it is much to be regretted that the limits or scope of the newspaper article did not permit him to bring forward more of his facts so that the worst possible indictment against the government might have been supported by a mass of evidence. His estimate of the amount of frauds is guesswork and as there was an honest man for President and honest men at the heads of the departments such a gross amount of stealings was simply impossible. Stanton, his assistant secretary Charles A. Dana, the quartermaster-general Montgomery C. Meigs, the provost-marshall-general James B. Fry, may challenge comparison with any administrators for honesty and efficiency. Welles, the Secretary of the Navy, was a man of integrity and Gustavus V. Fox, his assistant, joined to probity executive ability of a very high order. Of men high in administrative office after the resignation of Cameron, I have discovered only one implicated in dishonest transactions — one of the Assistant Secretaries of War.

That innocent men were prosecuted and convicted while the guilty escaped is not a credit to the vigilance of the department: this is what we should expect under a despotism where all things went by favour. Nevertheless I shall cite a case which, if the publicity of it and the attention which it excited be taken into account, indicates a watchfulness and a promptness to act on suspicion which could not have obtained had the department been rotten. Benjamin G. Smith and Franklin W. Smith merchants and co-partners in Boston were arrested in June, 1864 on the charge of having defrauded the government in their contracts with the Navy Depart-

ment and were at once incarcerated in Fort Warren. "Their counting-room was broken open, their safe forced and their books seized. Their houses were searched and private papers taken away. Their business was for the time destroyed."<sup>1</sup> They were subsequently tried by a naval court-martial at Charlestown and, after a trial lasting a number of months were convicted and sentenced to imprisonment for two years with a fine of \$20,000, the verdict and sentence receiving the approval of the Secretary of the Navy. Senator Sumner pleaded with the President that he should not give these proceedings his sanction and at his request wrote out an opinion based on an analysis of the evidence. Sumner arrived at the conclusion that "even according to the finding of the court the government has suffered only to the amount of one hundred dollars" in transactions amounting to more than \$1,200,000. But even this had not happened. The government had really suffered no loss whatever and Smith Brothers had filled their contracts according to business custom and the usage at the navy-yard. To charge them with fraud, Sumner averred, was "cruel, irrational, preposterous."<sup>2</sup> By appointment he went to the White House at eleven o'clock in the evening of March 18, 1865 and read his opinion to a most attentive listener and careful commenter, the President. Although it was twenty minutes after midnight when he had finished Lincoln said: I will write my conclusion at once and you must come and hear it in the morning "when I open shop." "And when do you open shop?" "At nine o'clock," was the reply.<sup>3</sup> Sumner was there at the appointed hour and listened while Lincoln read: "I am unwilling for the sentence to stand, and be executed, to any extent in this case. In the absence of a more adequate motive than the evidence discloses I am wholly unable to believe in the existence of criminal or

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<sup>1</sup> Sumner's Works, vol. ix. p. 341.

<sup>2</sup> Ibid., pp. 347, 356.

<sup>3</sup> Ibid., p. 359.

fraudulent intent on the part of men of such well-established good character. If the evidence went as far as to establish a guilty profit of one or two hundred thousand dollars, as it does of one or two hundred dollars, the case would, on the question of guilt, bear a far different aspect. That on this contract, involving some twelve hundred thousand dollars, the contractors would plan, and attempt to execute a fraud, which, at the most, could profit them only one or two hundred, or even one thousand dollars, is to my mind beyond the power of rational belief. That they did not, in such a case, make far greater gains, proves that they did not, with guilty or fraudulent intent, make at all. The judgment and sentence are disapproved, and declared null, and the defendants are fully discharged.”<sup>1</sup>

What followed had nothing to do with the Smith Brothers’ case but must be related for the side light it throws upon Lincoln. After reading his decision he quoted from the humorist Petroleum V. Nasby but noting that Sumner was not familiar with the author said: “I must initiate you. For the genius to write these things I would gladly give up my office;” and for twenty minutes he read aloud to the senator from Nasby’s letters.<sup>2</sup>

While the prosecution of the Smith Brothers was in a manner furthered by the enmity of some of the sub-

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<sup>1</sup> Complete Works, vol. ii. p. 663 ; Sumner’s Works, vol. ix. p. 341 *et seq.* ; Grimes and Hale in the Senate, May 23, 1864, *Globe*, p. 2406 *et seq.* In 1897 or 1898 I had a long conversation with Benjamin G. Smith regarding his and his brother’s arrest and trial. He submitted to me a mass of documents which I perused. The Smith Brothers enjoyed a good reputation in Boston as is seen by the testimony of commercial bodies and their fellow-citizens and the expressions of the newspapers. See also the statement of the two senators and eight representatives from Massachusetts, Sumner’s Works, vol. ix. p. 344. My attention to the case was called by Professor Charles F. Dunbar, at the time of the prosecution the editor of the Boston *Daily Advertiser* and a believer in the innocence of the accused.

<sup>2</sup> Sumner’s Works, vol. ix. p. 360. Sumner also relates this circumstance in a preface to an edition of Nasby’s letters published in Boston in 1872.

ordinate officers to Franklin W. Smith on account of a pamphlet and letter he had published exposing what he conceived to be the abuses of the contract system, it must be borne in mind that Secretary Welles and Assistant Secretary Fox approved the proceedings, which they would not have done had there not been a *prima facie* case against the contractors. Grimes spoke in the Senate of the "enormously fraudulent" contracts made with Smith Brothers<sup>1</sup> and in a letter to his wife seemed to be gratified that they had been imprisoned in Fort Warren adding, they "will, I doubt not, be convicted."<sup>2</sup> This single incident; the number of convictions for actual fraud; the arbitrary arrests for "defrauding government"<sup>3</sup> combine to demonstrate that the War and Navy Departments neither ignored frauds nor connived at them but on the other hand were alert in ferreting them out and zealous in bringing the perpetrators to imprisonment, trial and conviction.

It will be worth while to mention some of the records of honesty and efficiency in the government service. The amount of money disbursed by the paymaster-general's department from July 1, 1861 to October 31, 1865 was \$1,029,239,000. The total defalcations for the same period were \$541,000; the total expenses for the disbursements were \$6,429,600 making an aggregate of \$6,970,600 or less than  $\frac{7}{10}$  of one per cent.<sup>4</sup> This would not be a good record to-day for a large railroad or manufacturing establishment or bank, but taking into account the nature and the wide territorial extent of the service it is a result deserving of respect and differing greatly from a certain popular conception of it.

The reports of Quartermaster-General Meigs for 1864 and 1865 are a valuable contribution to this subject and,

<sup>1</sup> May 23, 1864, *Globe*, p. 2407.

<sup>2</sup> June 15, 1864, *Life of Grimes*, Salter, p. 263.

<sup>3</sup> See vol. iv. p. 231, note 2.

<sup>4</sup> Paymaster-general's report, Oct. 31, 1865, O. R., ser. iii. vol. v. p. 204.

with the limitation that the whole truth is hardly to be expected from officialdom in a public report, these may be regarded as accurate statements for the ground which they cover. The railroad companies had been patriotic and generous. Notwithstanding the higher cost of operation due to the advance in material and wages, and the opportunity for making large net earnings owing to the enormous increase of the traffic, the great majority of them had continued for the government business the low tariff agreed upon early in the war. "The operations of the military telegraph . . . have been conducted with fidelity and skill." "The supply of clothing and equipage has been ample and the quality excellent. Very few complaints are now received from the army of defective material or workmanship. Some instances of infidelity in inspectors and of fraud on the part of dealers have been charged and the accused parties are now undergoing investigation before proper tribunals which will doubtless ascertain and punish the guilty."<sup>1</sup> The amount of appropriations for the quartermaster's department during the war was \$1,184,300,608.95.<sup>2</sup> The concluding paragraph of Meigs's report of 1864 illustrates the principle on which the war was conducted, that human life was more valuable than materials. "That an army is wasteful is certain," he wrote, "but it is more wasteful to allow a soldier to sicken and die for want of the blanket or knapsack, which he has thoughtlessly thrown away in the heat of the march or the fight than to again supply him on the first opportunity with these articles indispensable to health and efficiency."<sup>3</sup> A mass of evidence warrants the statement that never had an army been so well supplied with food and clothing as

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<sup>1</sup> Nov. 3, 1864, O. R., ser. iii. vol. iv. pp. 884-886. Colonel Anson Stager was superintendent and Major Thomas T. Eckert assistant superintendent of the military telegraph.

<sup>2</sup> Report of Nov. 8, 1865, *ibid.*, vol. v. p. 254.

<sup>3</sup> O. R., ser. iii. vol. iv. p. 901.

was that of the North; never before were the comfort and welfare of the men so well looked after. Private agencies, as we shall see later, helped to secure this result but they needed and obtained the hearty co-operation of the government.

In his report of November 3, 1864 Meigs admitted that the charter of ocean transports had been attended with abuses, many charters having been made at extravagant rates. But informed by the investigations of congressional committees the department "took stringent, effective, perhaps in some cases arbitrary, though necessary measures to produce reform." Reform was accomplished securing great savings to the government.<sup>1</sup>

Until our Civil War the art of transporting troops and their supplies by rail and by river steamboats was in its infancy. Under the conditions of the large expanse of territory and the consequent necessity of moving soldiers and food great distances, it developed through our mechanical ingenuity into an indispensable branch of logistics. Some remarkable exploits for the time were done.<sup>2</sup> Lewis B. Parsons was superintendent of river and railroad transportation for the armies both in the West and East; he received mention from Meigs "for his just and energetic control,"<sup>3</sup> and a high tribute from General Grant. Your position, Grant wrote to Parsons May 20, 1865, "is second in importance to no other connected with the military service, and to have been appointed to it at the beginning of a war of the magnitude and duration of this one, and holding it to its close, providing transportation for whole armies, with all that appertains to them, for thousands of miles, adjusting accounts involving millions of money, and doing justice to all, never delaying for a moment any military operations dependent upon you, meriting and receiving the

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<sup>1</sup> O. R., ser. iii. vol. iv. p. 890.

<sup>2</sup> See vol. iv. p. 399; ante, p. 103.

<sup>3</sup> O. R., ser. iii. vol. iv. p. 881.

commendation of your superior officers, and the recognition of government for integrity of character and for the able and efficient manner in which you have filled it, evinces an honesty of purpose, knowledge of men, business intelligence and executive ability of the highest order, and of which any man might be justly proud.”<sup>1</sup>

I have already spoken of frauds in connection with the filling of military quotas by substitute brokers and bounty-jumpers.<sup>2</sup> Much more might be said on this subject. In his final report (March 17, 1866) James B. Fry, provost-marshall-general wrote: “The opportunities for fraud and gain in connection with the increase of local bounties grew rapidly, and with the business open to the bad as well as the good very soon produced the class of men known as bounty and substitute brokers, who were generally bad and dishonest men. The network with which they covered the country was so well contrived and so skilfully managed that it was difficult for recruits or substitutes to get into the service without passing through their hands.” It was Fry’s opinion that should we ever again have war this substitute brokerage should be entirely suppressed.<sup>3</sup> The state of affairs in Ohio may serve as an illustrative instance for the rest of the country. “I am satisfied,” wrote Governor Brough, February 6, 1865, “that there is more or less corruption in at least one-half of the subordinate provost-marshallships of the State. . . . I know the fact that some men of heretofore moderate means have retired from these positions with handsome competencies while some remaining in them are mani-

<sup>1</sup> O. R., vol. xlvii. part iii. p. 539.

<sup>2</sup> Vol. iv. p. 431.

<sup>3</sup> O. R., ser. iii. vol. v. p. 634; see rep. Actg. Asst. Prov. Mar. Gen. Ills. Aug. 9, 1865, *ibid.*, p. 831. “Absentees by the hundreds of thousands,” wrote General Sherman to his brother April 5, 1864; “and all efforts to get men, who have drawn large bounties and are drawing large pay still lingering at a safe distance, are vain, yet I hope that by the voluntary consent of the men themselves we shall have enough.” — Sherman’s Letters, p. 226.

festing outward tokens of worldly means not derived from salaries."<sup>1</sup>

Brough and Senator Wilson of Massachusetts charged that corruption extended to the surgeons who examined drafted men in order to ascertain whether they were fit physically for the service. Men would feign deafness, blindness, cardiac disease and other disabilities and some surgeons were suspected of writing out certificates of exemption on receipt of a substantial fee. Illustrating this, the wits of the day related humorous anecdotes which perhaps they fabricated but which fixed themselves in the popular mind. Fry in a letter to Senator Wilson of September 16, 1863 admitted that there was "bribery and corruption among the surgeons." The compensation was insufficient to secure the best talent if the money side only were considered. The great demand for doctors called out some who had failed in their profession, others who were dullards of limited experience and low standing, and others still who had not completed their course: the results are easily conceivable. Yet Fry in his final report of March 17, 1866 took a higher view of his surgeons than in his letter to Senator Wilson. He said that many of them had received their appointments unsought on account of their reputation in their communities for ability and honesty and served their government from patriotism and professional pride. We may infer that he believed them for the most part to have performed their service with efficiency and straightforwardness.<sup>2</sup>

It will be germane to my mode of treatment to refer to the charges made against Fry in Congress April 24, 1866 by Roscoe Conkling, a representative from the State of New York. Fry and his subordinates he declared "turned the business of recruiting and drafting into one carnival of corrupt disorder, into a paradise of

<sup>1</sup> O. R., ser. iii. vol. iv. p. 1150.

<sup>2</sup> Ibid., vol. iii. p. 799; vol. iv. p. 1150; vol. v. p. 765.

coxcombs and thieves"; "there never has been in human history a greater mockery and a greater burlesque upon honest administration than the conduct of this bureau [that of the provost-marshall-general] taking the whole country together;" "the only way to acquit Fry of venality is to convict him of the most incredible incompetency."<sup>1</sup> Fry, through a letter which James G. Blaine caused to be read in the House, made counter charges against Conkling which led to the appointment of a select committee to investigate the alleged frauds in the provost-marshall-general's bureau and the statements made by Fry against Conkling. The committee in its report completely exonerated Conkling but having made no investigation into the other branch of the inquiry expressed no opinion in regard to the charges against Fry. The members of the committee were inimical to him and had they been able to prove that he was dishonest or even allege good grounds for suspecting him, it is likely that such proof or suspicion would have been made part of their report. The charges of Conkling against the provost-marshall-general stand, so far as I know, without support. Two different Presidents afterward conferred appointments on Fry in the nature of honours and professional advancement, which with their confirmation by the Senate, is conclusive evidence in his favour. He admits that frauds existed in his bureau but they were comparatively small and for the most part occurred in connection with local bounties that were beyond his control. His accounting for the money which passed through his hands was complete and accurate and for his general management of the bureau he received the approval of Lincoln and Stanton.<sup>2</sup> One cannot make a study of our Civil War without having constantly to consider the business of the provost-

<sup>1</sup> *Globe*, pp. 2151, 2152.

<sup>2</sup> See the Conkling and Blaine-Fry controversy in 1866, by J. B. Fry (1893). This is a full and candid account.

marshal-general and as a result one must come to the conclusion that beyond a doubt Fry's management was honest and efficient.<sup>1</sup>

In this important business of raising troops by volunteering or by the draft Fry was continually in close touch with Lincoln and Stanton and the three had heavy burdens, especially during the years 1863 and 1864. Their troubles came from the disloyal, the luke-warm and the zealous. A secret society in Indiana encouraged men to desert<sup>2</sup> and in one county two hundred mounted armed men resisted the arrest of deserters.<sup>3</sup> In as strong a Union State as Iowa the Knights of the Golden Circle, a secret organization to encourage desertions, protect deserters from arrest and to deter enlistments, were so active in their operations that Governor Kirkwood issued a proclamation of warning to them with threats of punishment.<sup>4</sup> Senator Grimes writing independently to Stanton told of a "secret, armed organization to resist the execution of the laws" called the "Sons of '76"; he had detected their "oaths, passwords and grips" and had felt it his duty to warn the Secretary against them. They mean mischief, he wrote, and are "organized for insurrection and nothing else."<sup>5</sup> Governor Yates of Illinois reported that arms and ammunition were being sold to persons who were getting ready for resistance to the government.<sup>6</sup> In parts of Pennsylvania and Indiana trouble was encountered in making the enrolment of men subject to draft and officers in the discharge of their duty were murdered.<sup>7</sup> In Ohio the dissatisfaction over the draft broke out in Holmes County in an insurrection against the enrolment,

<sup>1</sup> That is likewise the opinion of General J. D. Cox who adds practical experience to study. *Reminiscences*, vol. i. p. 447.

<sup>2</sup> Jan. 24, 1863, O. R., ser. iii. vol. iii. p. 19.

<sup>3</sup> March 19, 1863, *ibid.*, p. 75; also ser. ii. vol. v. p. 365.

<sup>4</sup> March 13, 23, 1863, *ibid.*, ser. iii. vol. iii. pp. 66, 82.

<sup>5</sup> April 20, 1863, *ibid.*, p. 124.

<sup>6</sup> April 3, 1863, *ibid.*, p. 116.

<sup>7</sup> June, 1863, *ibid.*, pp. 321, 338, 341, 347, 391.

which was thought serious enough for Cox, the general commanding, to send a battalion of infantry and a section of artillery to disperse the insurgents. This was accomplished easily with slight bloodshed.<sup>1</sup>

The draft riot in New York City in July, 1863<sup>2</sup> fostered trouble elsewhere and generated a profound impression all over the country. In its train came alarm in Detroit, Kingston and Elmira (N. Y.), a riot at Newark, and much excitement in the whole State of New Jersey on account of organizations forming to resist the draft.<sup>3</sup> Two days after the New York riot was suppressed John Jay wrote thus to Stanton : “The rebels in this city [New York] have from the first been entirely confident of their final success. I was told a year ago by one of the most wealthy and fashionable bankers of New York that this administration would not be allowed to complete its term ; that it would be overthrown by an armed revolt in this city, and when I asked, ‘When and how will this be done ?’ he said sadly and solemnly, ‘I do not know when it will be done, nor how it will be done, but that it will be done I am as certain as that I stand here.’ This man has been assisting Governor Seymour to suppress these riots. He may hope next month to assist him to resist the President and the draft. The minds of the Irish are inflamed to the point of absolute and brutal insanity. And apart from the Irish the copperhead element in the rural districts is ready to co-operate with them. In the usually quiet neighbourhood where I live in Westchester County some forty miles from town, threats of murder and arson are openly made.”<sup>4</sup> The indications of mob violence were so strong in Buffalo that Fry suspended temporarily

<sup>1</sup> June, 1863, O. R., ser. i. vol. xxiii. part i. p. 395 ; ser. iii. vol. iii. pp. 403, 410 ; J. D. Cox’s Reminiscences, vol. i. p. 470.

<sup>2</sup> See vol. iv. p. 322.

<sup>3</sup> O. R., ser. iii. vol. iii. pp. 488, 489, 490, 491, 496.

<sup>4</sup> Ibid., p. 541.

the draft.<sup>1</sup> July 15, 1863 Governor Kirkwood of Iowa telegraphed to Stanton : "The enforcement of the draft throughout the country depends upon its enforcement in New York City. If it can be successfully resisted there, it cannot be enforced elsewhere. For God's sake let there be no compromising or halfway measures."<sup>2</sup> This was the general sentiment of Union men west of New York City. Before the draft was resumed there (August 19, 1863) word came from Illinois of "sedition, and turbulent elements" making it unsafe to begin the drawing without troops for the maintenance of order ; from Milwaukee that "this city is disloyal beyond a doubt" and "that it would be foolhardiness to attempt a draft without protection" ; of a "riotous spirit" in Pittsburg ; and of apprehension of mob violence at St. Paul if the authorities proceeded with the conscription.<sup>3</sup> Later on for the same reason there was a riot at Danville (Ill.) and a "reign of terror" in the anthracite regions of Pennsylvania.<sup>4</sup>

These instances have been multiplied to exhibit the daily anxieties which were the lot of Lincoln, Stanton and Fry. There must have come over them at times the feeling that on account of unwillingness so widely extended, it might be difficult to raise troops enough to continue the war. But there were humorous incidents in the situation which, did they come under his eye, must have been a relief to Lincoln. The account of the rising in Holmes County, Ohio by Nasby would undoubtedly be read by him with the conviction that at the North rebellion's head would rise no higher.<sup>5</sup> If he

<sup>1</sup> July 14-22, 1863, O. R., ser. iii. vol. iii. pp. 489, 556, 572, 578, 586, 587, 594.

<sup>2</sup> Ibid., p. 494.

<sup>3</sup> Ibid., pp. 500, 534, 543, 574.

<sup>4</sup> Aug. 26, Nov., 1863, ibid., pp. 722, 1005, 1008, 1047 ; ser. i. vol. xxix. part ii. p. 451.

<sup>5</sup> Nasby wrote from a "Linkin Basteel," Columbus, June 20, 1863 : "Wen the Dimekrats, the peece men of Homes County, declared war I threw off the sacerdotle robes and tuk up the sword. . . . Fifteen hundred

saw the notice of a Democratic meeting sent by the assistant provost-marshall-general of Indiana to Fry because it was regarded as a call for a treasonable assemblage when those coming together with the watchword of the Knights of the Golden Circle would be armed in resistance to the government, he must have smiled and, from his superior knowledge of Indiana and Illinois Democrats, wished that he was as sure of many other events of the war as that these citizens would not in a mass resist his authority by force.<sup>1</sup> The summer of 1864 brought almost crushing burdens. The failure of Grant's Virginia campaign and the doubts in regard to Lincoln's re-election<sup>2</sup> intensified every other trouble and bred the often iterated doubt that the game was up. Governor Brough wrote to Stanton March 14, 1864 that he regarded our financial position as critical; every man whom we put into the army costs us over \$300 and we were incurring a debt which we could not pay without scaling it down and such a measure would be our ruin.<sup>3</sup> About the same time Chase was asked, "What is the debt now in round numbers?" "About \$2,500,000,000" was the reply. "How much more can the country stand?" "If we do not suppress the rebel-

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strong we pledgd ourselves to hist the black flag and never surrender. Finally the enemy hove in site. Ez they cum up our men trembled with anxiety to meet em," but "... instid uv histin the black flag they capitolated delivrin up the ringleaders."

<sup>1</sup> The call of the meeting read thus: "The Democracy of Vigo County propose to give an old-fashioned barbecue at Terre Haute on Saturday, August 22, 1863, to which they invite the Democracy of the Seventh Congressional District and the adjoining counties of Indiana and Illinois. The fatted calf will be killed and roasted for the refreshment of the brethren. Distinguished speakers, and plenty of them, will be present and address the meeting. This is a time for mutual understanding and concerted action on the part of the friends of the Constitution and the white man's liberty. Let all come and bring their families. The meeting will be held in the grove south of town, near the river, where the teams can be watered. The watchword of the day will be: 'United we stand in defiance of tyrants.'"—O. R., ser. iii. vol. iii. p. 697.

<sup>2</sup> See vol. iv. pp. 507, 517 *et seq.*

<sup>3</sup> O. R., ser. iii. vol. iv. p. 180.

lion," answered Chase, "when it reaches \$3,000,000,000 we shall have to give it up."<sup>1</sup> Soon after Fessenden entered upon the duties of the Treasury Department he wrote to his friend Senator Grimes: "Things must be taken as I find them and they are quite bad enough to appal any but a man as desperate as I am."<sup>2</sup> Weed placed the situation plainly before an English friend. "We are beset by dangers," he wrote—"foremost of which is the presidential canvass. . . . Regiments are returning home, worn, weary, maimed and depleted. Our cities and villages swarm with skulking demoralized soldiers." "You, my dear old friend," the Englishman replied, "ought to settle your affairs before the crash comes. It may be that your government will be re-united for a time; but it cannot last after this era of tremendous passion. . . . I should really like to go to the United States if only to see your Lincoln. But will he soon be in Fort Lafayette or here in exile?"<sup>3</sup> "If this country gets ultimately through," wrote Francis Lieber in a private letter, "safe and hale, no matter with how many scars, a great civil war with a presidential election in the very midst of it (while the enemy has to stand no such calamity), I shall set it down as the most wonderful miracle in the whole history of events."<sup>4</sup> Apprehensions of forcible resistance to the draft in New York, Pennsylvania, Ohio, Indiana, Illinois and Wisconsin caused the different authorities in those States to call upon the general government for troops to enforce the laws.<sup>5</sup> Grant sorely needed re-enforcements to fill his shattered ranks and realized the situation when he wrote to Hal-

<sup>1</sup> Conversation of Thornton K. Lothrop with Chase, about March, 1864, related to me by Mr. Lothrop, March 1, 1897. The debt reached the sum of \$2,997,386,203.24, *ante p.* 188.

<sup>2</sup> July 24, 1864, Life of Grimes, Salter, p. 265.

<sup>3</sup> Memoir of Weed, vol. ii. p. 443.

<sup>4</sup> Sept. 1, 1864, Life and Letters, p. 351.

<sup>5</sup> O. R., ser. iii. vol. iv. pp. 284, 483, 529, 540, 569, 599, 607, 613, 620, 640, 683, 686.

leck, August 15, 1864 : "If there is any danger of an uprising in the North to resist the draft or for any other purpose our loyal governors ought to organize the militia at once to resist it. If we are to draw troops from the field to keep the loyal States in harness it will prove difficult to suppress the rebellion in the disloyal States. My withdrawal now from the James River would insure the defeat of Sherman."<sup>1</sup> To comply with the military exigencies and at the same time content the governors of the States was indeed a difficult problem.

The President and Secretary of War were obliged to work through the Federal system, the disadvantages of which for carrying on a war were largely overcome by the sympathetic co-operation of most of the governors who with few exceptions belonged to the same party as the President. Many of them were men of ability and knew the local wants and capabilities. Conspicuous as one gathers from the Official Records were Morton of Indiana, Andrew of Massachusetts, Curtin of Pennsylvania, Tod and Brough successively of Ohio. At the same time patience and discretion were needed in handling affairs so that the dignity of these and of the other Northern governors should not be offended. They were all patriotic, desiring to assist the general government to the extent of their power, but each had his local pride and was zealous in looking after the interests of his own State. They were diligent in their communications, reckoning closely the number of men they ought to furnish, and frequently claiming that their quotas were filled or that troops in excess had been contributed on one call which should be allowed on another. The State arithmeticians in their eagerness to have credit for every possible man were so adroit at computation that at one time, as Lincoln stated it, "the aggregate of the credits due to all the States exceeded very considerably

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<sup>1</sup> O. R., ser. i. vol. xlvi. part ii. p. 193.

the number of men called for.”<sup>1</sup> This was a vexation of a wearing kind since it was a vital condition of his success that the President should have the active and zealous support of these governors. When he told the committee of the Rhode Island legislature that “men and not an adjustment of balances was the object of the call” for troops he answered with his clear logic the reclamations that poured in upon Stanton and Fry; nevertheless he did not urge it to triumph in the argument but to persuade the committee and the country that he must have men; and yet, despite his necessity, he proposed to proceed with the utmost fairness.<sup>2</sup> The governors were forward in suggestions and most of them had ideas that some things should be done differently. Maryland, Pennsylvania, Ohio, Indiana and Illinois were in constant danger of invasion; threatened raids from Canada and other British provinces kept the authorities of New York, Vermont and Maine in a state of alarm: all these and similar troubles were brought to the War Department with requests for succour and protection. The patience of Stanton when he replied to the claims and grievances of the governors exhibits another side of this man who was often irascible to an extraordinary degree. But it was the patience of a determined man who gave the cue to his department with the result that during the last two years of the war the commissary and quartermaster’s departments were admirably managed, the transportation of the troops and supplies well carried out. Next to Lincoln it was owing to him that the way was smoothed for the governors to carry out their predilection for upholding with energy the national administration by helping the Secretary of War in the various

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<sup>1</sup> O. R., ser. iii. vol. v. p. 644. General Sherman wrote to his brother April 5, 1864: “I see with regret causes at work North which should not be. States quarrelling about quotas when we see their regiments here dwindling to mere squads,”—Sherman’s Letters, p. 226.

<sup>2</sup> O. R., ser. iii. vol. v. p. 644; see also vol. iv. p. 1157.

matters of detail which came within their sphere. A despatch to Morton when he denied a request of the governor is characteristic of his manner. "I have perfect confidence," he said, "in your patriotic zeal and influence overcoming all personal considerations and dissatisfaction in this urgent hour. . . . Come, gird yourself up, and once more to the field, old chief, with every horse and man."<sup>1</sup>

The Stanton of tradition is a stern man, standing at a high desk, busy and careworn, grumbling, fuming and swearing, approached by every subordinate with fear, by every officer except the highest with anxiety, by the delinquent with trepidation. The Stanton of the Official Records is a patient, tactful man, who, bearing a burden of administration disposes of business promptly, who takes into account many conditions and adapts himself to circumstances keeping always in view the great result to be achieved. It is a man who does not obtrude himself. No one accustomed to affairs can go through the correspondence of the summer of 1864 without arriving at a high opinion of the executive ability of Stanton. He is patient and considerate with those to whom patience and consideration are due but when he believes himself in the right he is unyielding and resolute. He was wise in his conduct of affairs but it is a wonder that on top of the trials of three years he and Lincoln were not crushed by the disappointments and cares which were their lot from May to September, 1864.

The burden of the war told perceptibly on Lincoln. His "boisterous laughter," writes John Hay, "became less frequent year by year; the eye grew veiled by constant meditation on momentous subjects; the air of reserve and detachment from his surroundings increased. He aged with great rapidity." The change in Lincoln is shown in two life masks, one made in 1860, the other in

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<sup>1</sup> April 18, O. R., ser. iii, vol. iv. p. 229.

the spring of 1865. The face of 1860 belongs to a strong healthy man, is "full of life, of energy, of vivid aspiration. The other," continues Hay, "is so sad and peaceful in its infinite repose that St. Gaudens insisted when he first saw it that it was a death mask. The lines are set as if the living face like the copy had been in bronze; the nose is thin and lengthened by the emaciation of the cheeks; the mouth is fixed like that of an archaic statue; a look as of one on whom sorrow and care had done their worst without victory is on all the features; the whole expression is of unspeakable sadness and all-sufficing strength."<sup>1</sup>

We of the North maintain that on our part the war was unavoidable and just but the summer of 1864 carries this lesson: with our system of government in its division of powers between the nation and the States and its partition of authority at Washington; with our frequent elections; with the independence and individuality of our people, war is not a business for us. The genius of the American Commonwealth lies in peace.<sup>2</sup>

Little annoyances came from divers sources. Railroad companies desired the exemption of all their employees from military draft. Locomotive engineers and telegraph operators were exempt and Stanton would not increase the list of exemptions but he advised Thomas A. Scott that if certain experts were drafted they would be discharged; the same rule was also to apply to the skilled workmen of Sharps Rifle Co., Hartford. The Benedictine order of monks prayed the Secretary of War and the pilots of the Western rivers asked the

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<sup>1</sup> *Century Magazine*, Nov. 1890, p. 37.

<sup>2</sup> "In the American character antipathy to war ranked first among political traits. . . . No European nation could have conducted a war as the people of America conducted the War of 1812. The possibility of doing so without destruction explained the existence of the national trait, and assured its continuance. In politics the divergence of America from Europe perpetuated itself in the popular instinct for peaceable methods." — Henry Adams, vol. ix. p. 226.

President to exempt them from the operation of the conscription law. By a section of the act of February 24, 1864 clergymen and persons of conscientious scruples were, under certain restrictions, relieved from active service but this proved to be a difficult provision to administer. From a resolution of the House it appeared that some dissatisfaction was caused by the exemption of certain preachers and not of others; and word came from Harrisburg of the "rapid increase in Pennsylvania of non-combatant sects. The Quakers, Dunkards and Mennonites," it was added, "are having more than a revival."<sup>1</sup> These last difficulties arose when the Secretary and his helpers were devising every possible means to procure men. For instance, November 28, 1864 "the minimum standard of height for recruits" was fixed "at five feet instead of five feet three as heretofore."<sup>2</sup>

Some of the zealous increased the troubles of the War Department. Maine's State election came early in September and the result there was always regarded as a significant indication of the political current. Her governor feeling her importance was insistent on compliance with his requests and said August 17, 1864, in a despatch to Stanton: "Conscriptions have always been unpopular—I had almost said hateful—in all communities. . . . A draft so enforced as to produce a political revolution would be useless; and worse, the men could hardly be got to the field before they would be ordered back. I do not deem it necessary to say any more than that far more improbable events have happened than a political whirlwind in this country at the ensuing elections which will sweep everything before it."<sup>3</sup> Later after a somewhat peremptory request to the President he ended his despatch: "If you will not accept our men for the navy, and enforce the conscription for

<sup>1</sup> O. R., ser. iii. vol. ii. pp. 322, 323, 336, 337, 348, 358; vol. iii. p. 341; vol. iv. pp. 775, 994, 1154; vol. v. p. 633.

<sup>2</sup> *Ibid.*, vol. iv. p. 966.

<sup>3</sup> *Ibid.*, p. 623.

the army, you may look for political results agreeable neither to you nor myself.”<sup>1</sup> A draft such as was proposed to be made in Illinois would in the opinion of her governor “not only endanger the peace of the State but will hopelessly defeat us in the coming election.”<sup>2</sup> Simon Cameron telegraphed from Harrisburg October 18, 1864: “The interests of the country require that the draft be postponed till after the Presidential election.”<sup>3</sup> E. B. Washburne asked for fifteen days more to fill the quota of Illinois by enlistment and Senator Wade desired the supplementary draft in Hamilton County, Ohio, postponed.<sup>4</sup>

The War Department and the President have been criticised for not using the drafted men and new volunteers to fill the gaps in the old regiments. In 1863 and 1864 Grant and Sherman gave the authorities in Washington excellent advice and these two were the generals on whom they relied. “Taken in an economic point of view,” wrote Grant, “one drafted man in an old regiment is worth three in a new one”; and the reasons supporting this statement are well put both by him and Sherman.<sup>5</sup> The War Department appreciated fully that the correct military principle was to use the new men in supplying the waste of the old regiments and to a large extent this principle was put into practice. That it was not fully carried out is explained by the circumstance that it was easier to raise new regiments than to fill up the old ones. A new regiment involved a new colonel and other regimental officers, new captains and lieutenants and, as there were men with local influence who desired these places, the giving them out made the raising of troops easier. It came pretty near to having troops in this way or not at all. The friction between

<sup>1</sup> Aug. 25, O. R., ser. iii. vol. iv. p. 639.

<sup>2</sup> Sept. 16, 1864, ibid., p. 727, see also p. 872.

<sup>3</sup> Ibid., p. 786.

<sup>4</sup> Oct. 17, 18, 1864, ibid., pp. 786, 787.

<sup>5</sup> June, 1863, ibid., vol. iii. p. 386.

those who furnished the troops and those who commanded them [*i.e.* between the governors of the States and the generals] appears in an outburst of Governor Morton although not connected with the subject in hand. "The commanding officers in the field," he wrote to Fry, "have had armies furnished to them and know but little of the difficulties in creating them."<sup>1</sup>

The technical men of the War Department and of the army may be justly criticised for not arming our infantry with breech-loading rifles. They were behindhand and not up to their opportunities. In his report of December 1, 1859 the Secretary of War stated the result of the experiments in breech-loading arms: these arms were "nearly if not entirely perfected"; and he added: "With the best breech-loading arm, one skilful man would be equal to two, probably three, armed with the ordinary muzzle-loading gun. True policy requires that steps should be taken to introduce these arms gradually into our service." But October 22, 1864 the chief of ordnance reported to Stanton: "The use of breech-loading arms in our service has, with few exceptions, been confined to mounted troops;" and December 5, 1864 he returned to the subject in these words: "The experience of the war has shown that breech-loading arms are greatly superior to muzzle-loaders for infantry as well as for cavalry, and that measures should immediately be taken to substitute a suitable breech-loading musket in place of the rifle musket which is now manufactured at the National Armory and by private contractors for this department."<sup>2</sup> Some one ought to have known this at least three years earlier and to have made it his business to press the importance of it upon the President, the Secretary of War and Congress. The

<sup>1</sup> Dec. 30, 1863, O. R., ser. iii. vol. iii. p. 1196. On the subject discussed see *ibid.*, pp. 36, 65, 387, 487, 591, 822, 940; vol. ii. pp. 238, 287; vol. iv. p. 938; Ropes, Milt. Hist. Soc. Pub., vol. x. p. 265.

<sup>2</sup> O. R., ser. iii. vol. iv. pp. 802, 971.

Prussians had used a breech-loading rifle in the Revolution of 1848 and again in the Schleswig-Holstein war of 1864, and the infantry of the Northern army ought to have been armed with a similar gun for their campaigns twelve months before the surrender of Lee. The few regiments of ours which had repeating and breech-loading rifles did so effective execution that the dramatic scene of Königgratz—a great battle between an army with breech-loaders and one with muzzle-loaders—ought to have been anticipated by two years and played upon the field of Virginia or in the mountains of Georgia. In the art of war we showed ourselves inferior to the Prussians but the fault was not with American inventive talent. Excellent arms were offered to the government and it is safe to say that had its administration of technical affairs equalled that of the Pennsylvania Railroad or some of our large manufacturing establishments the army would have had the improved weapons.<sup>1</sup>

But if Prussia excelled us in the military foresight of her government we excelled her and every other continental European power and probably also England in the good work done to help our government by private individuals without reward of any sort. John M. Forbes of Boston of whom Emerson wrote, "And I think this is a good country that can bear such a creature as he is" may be taken as a type; in writing to Lincoln he described himself with truth as "one who would accept no office and who seeks only to do his duty in the most

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<sup>1</sup> See Reminiscences, J. D. Cox, vol. i. p. 182; Cox's Franklin, p. 127; O. R., ser. iii. vol. iv. p. 1208, vol. v. p. 530; paper of General Joseph Wheeler read at the Franklin Institute Dec. 18, 1901, p. 201; Rosecrans to Halleck, Aug. 6, 1862, O. R., vol. xvii. part ii. p. 154; America during and after the War, Ferguson, p. 108; Appleton's American Cyclopaedia, vol. xiv. p. 331; Encyclopædia Britannica, vol. xi. p. 282. I owe it to conversations with General J. D. Cox that my attention was directed to this subject. His familiar talk concerning this defect in our administration was fuller than his treatment of it in his Reminiscences and his argument drawn from large experience and constant observation was impressive.

private way possible.”<sup>1</sup> Ardently in favour of the anti-slavery policy of the President, he caused to be printed on small slips one million copies of the Emancipation Proclamation which were sent to soldiers at the front, who, as they advanced southward, scattered them among the negroes.<sup>2</sup> He and Amos A. Lawrence acted as bounty brokers and brought into that business such honesty and efficiency as proved that great things might be accomplished under the stimulus of patriotism instead of private gain.<sup>3</sup> Forbes is brought prominently to our notice from two volumes of his “Letters and Recollections,” a product of filial care; but there were many in Boston and other New England cities and towns who worked as he worked. New York City and Philadelphia increased the number. Pittsburg, Cincinnati, Cleveland and Chicago had energetic and patriotic men who gave their time and their money to their country; and the same may be said of almost every city and village in the loyal North. These citizens helped to raise troops and carry elections and were relied upon by their governors and mayors for counsel and support. They were men of high moral and business standing whose advice was always disinterested and often of great value. Their example in their communities kept the fires of patriotism burning and their encouragement of others who despaired of the outcome was a considerable factor in the prosecution of the war. Themselves often sick at heart, they warded off despondency by sheer pluck, feeling that we should win because we must. Obliged to remain at home from age or from other good reasons they were efficient props to Lincoln, Stanton and Chase. Though they are well known in their respective localities, their number is too large to be enumerated in a general history, but any one who makes a

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<sup>1</sup> Letters and Recollections, vol. i. p. xii.; vol. ii. p. 73.

<sup>2</sup> Ibid., vol. i. p. 348.

<sup>3</sup> Ibid., p. 333.

study of the war or any one whose recollections of the time are fresh will be ready to testify to the amount of disinterested support which the government received ; or if not always entirely disinterested, it proceeded at least from an enlightened selfishness. These men felt that the national government must win, to make their property secure, to insure the rank of their country among nations.<sup>1</sup>

We are thus brought naturally to the consideration of the great organized agency, the United States Sanitary Commission, through which, outside of the government, individuals wrought for the good of the army. When the war broke out the women of the North asked themselves what they could do for the relief and comfort of the soldiers and in this spirit they came together for conference. Some of these meetings have been recorded : one at Bridgeport, Connecticut on the day the President issued his call for 75,000 volunteers (April 15, 1861), in Charlestown on the same day and at Lowell a few days later, and still another in Cleveland April 19. Towards the end of this month Dr. Henry W. Bellows a Unitarian minister of distinction went to a similar conference in New York City which resulted in a call signed by ninety-two ladies of social prominence for a meeting in Cooper Institute. This large gathering of women assisted by a number of ministers, physicians and other men formed the "Women's Central Association of Relief." From the principles and ideas thus generated the Sanitary Commission developed. The frightful mortality of the British troops during the Crimean War and the remedy which public opinion forced the government to adopt were known ; but what the English used as a cure was desired by the American gentlemen who

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<sup>1</sup> Many telegrams, letters and references in vols. ii. iii. iv. of ser. iii. O. R., support these statements. I have specially noted vol. ii. pp. 13, 192, 332, 356; vol. iii. p. 1082. See also Letters and Recollections, J. M. Forbes, vol. i. p. 328; Personal Reminiscences of R. B. Forbes, pp. 263, 268, 270, 271.

organized the Sanitary Commission as a prevention. They wished to secure from the government at Washington substantially the same powers as had been conferred upon the British Sanitary Commission but after their interview with the acting surgeon-general of the army they saw that they must be contented with less, for it was absolutely necessary that they should work in harmony with the Medical Bureau. Even President Lincoln thought that the organization would be adding "a fifth wheel to the coach."<sup>1</sup> But as the men who had the matter in hand showed tact in their negotiations and the government was wishful of making concessions to public sentiment an agreement was finally reached so that on June 9, 1861 the United States Sanitary Commission was officially recognized by an order of the Secretary of War with the approval of the President as "A Commission of Inquiry and Advice in Respect of the Sanitary Interests of the United States Forces." The Secretary said that the President had considered their patriotic proposal and directed the acceptance of their services. The Commission had power to add to the original number named in the official order and to perfect their organization. They chose Henry W. Bellows, President, and Frederick Law Olmsted, at that time Architect in Chief and Superintendent of the Central Park in New York City, general secretary. Olmsted was a great administrator and the history of the Sanitary Commission under his management with the help of Dr. Bellows and other coadjutors is the history of a work of humanity conducted with ability and foresight.

When Congress met in December, 1861 the Commission endeavoured to secure the passage of an act for the reorganization of the Medical Department of the Army. Dr. Bellows went to Washington and at the request of

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<sup>1</sup> *Hist. of the U. S. San. Com.*, Stillé, p. 58.

General McClellan drew a bill for that purpose. The two went together to the President to ask his support and Dr. Bellows, to enforce his argument against the "stupid seniority system" of the Medical Bureau "in which one venerable non-compos succeeded another through successive ages," "told the President, who enjoys a joke, that the system reminded me of the man who, on receiving a barrel of apples, ate every day only those on the point of spoiling, and so at the end of his experiment found that he had devoured a whole barrel of rotten apples."<sup>1</sup> The work of the Commission was attended with success. "An act to reorganize and increase the efficiency of the Medical Department of the Army" was approved April 16, 1862. Then the Commission recommended strongly the appointment of Dr. William A. Hammond as surgeon-general of the army and the appointment was made in deference to its advice and the favourable sentiment in his behalf which had been aroused in the medical profession.<sup>2</sup>

Olmsted made the Commission "a great machine running side by side with the Medical Bureau wherever the armies went;"<sup>3</sup> he co-operated with the officers of the government transforming their cold and almost hostile attitude toward it at first to one of hearty approval. His report to the Secretary of War of December 9, 1861 reflects a noble mind directed to the common affairs of life and shows that drudgery of detail is a part of the work in winning a war. The glorious battle-field, the charging and taking of heights, the forlorn hope, the heroic defence cover in time but a small part of the duration of a war. Mastery in battle is of course the chief end but men cannot fight if they are sick; therefore as Olmsted put it: "The duty of guarding against the de-

<sup>1</sup> Letter to J. M. Forbes, Dec. 19, 1861, Life of Forbes, Hughes, vol. i. p. 268.

<sup>2</sup> Stillé, chap. v.; Laws, chap. lv.

<sup>3</sup> The Other Side of War, Katherine P. Wormeley, p. 10.

feat of our armies by disease needs to be undertaken as earnestly, as vigilantly . . . as any other military duty."<sup>1</sup>

In the Northern army from 1861 to 1865, 67,058 were killed and 43,012 died of wounds making a total of 110,070. The deaths from disease and accident were 249,458,<sup>2</sup> and such a number of deaths implied a large amount of sickness. July 21, 1862 the Executive Committee of the Commission in a letter to the President asserted that taking the returns from June 1, 1861 to March 1, 1862 as the basis of calculation the nation must maintain 58,000 sick men to secure a constantly effective force of half a million.<sup>3</sup> October 22, 1862 there were according to Dr. Bellows 80,000 men in hospitals and the estimated number of 50,000 ailing soldiers in convalescent and other camps.<sup>4</sup> The experience of the English in the Crimean War had sunk deeply in the minds of the organizers of the Sanitary Commission but their fears of a like mortality in our army were not realized.<sup>5</sup> A number of circumstances conspired to preserve the Union troops from such a devastation; and among them must be reckoned the direct operation and indirect influence of the Sanitary Commission and the excellent management of the United States Medical Bureau. That of the 318,187 wounded only 43,012 died of their wounds<sup>6</sup> is a tribute to the skill of the surgeons, the care of the nurses and the many alleviating measures provided.

These good results were not accomplished by brilliant strokes but by painstaking attention to common details. In his report of December 9, 1861 Olmsted described the condition of things at the outbreak of the war:

<sup>1</sup> Report, p. 70.

<sup>2</sup> Livermore's Numbers and Losses, pp. 6, 8.

<sup>3</sup> O. R., ser. iii. vol. ii. p. 288.

<sup>4</sup> San. Com. Docs., vol. i. Doc. 54, p. 1.

<sup>5</sup> Kinglake's Crimea, vol. vii. pp. 127, 186-190, 354, chap. xi.; Wormeley, p. 73, note 1; Stillé, p. 27.

<sup>6</sup> Livermore's Numbers and Losses, pp. 6, 63.

"The attempt has been made to suddenly stretch a system designed to supply the wants of a well-organized army of less than twenty thousand men under thoroughly trained officers, to make it sufficient for the wants of six hundred thousand civilians rushing together in arms, all at once, with no officers acquainted with the forms of administrative duty for an army, but only leading men from among themselves, and of their own selection, to take the duty of officers in that system. The population of a large town has all at once been set down here and there in various parts of the country retired from the grand routes of communication, and from all adequate avenues for the supply of their subsistence. Rogues and traitors have seen their opportunity in this state of things. Fools and indolent men have been swept, in the many eddies of the grand purpose which formed the central current, into places where great wisdom, activity and energy would have failed to meet every pressing need. That men everywhere, throughout these wonderful multitudes, are daily suffering from the ignorance, neglect, mistakes and impositions of their officers and of each other, is a matter of course."<sup>1</sup> Thousands of such sufferers had been afforded relief in many ways by the agents of the Commission but the aim was constantly at prevention. Members of the Commission noted "the neglect of the most obvious sanitary precautions in regard to camp site, ventilation, drainage" and they pointed out these deficiencies to the proper officers. A "cleanly, well-policed, thoroughly drained and salubrious camp" of one regiment was an example to others exciting emulation "among company and regimental officers." The Commission distributed sanitary tracts and these were largely reprinted in the newspapers with obvious effects. The drinking water, camp arrangement, tent accommodation, the care of

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<sup>1</sup> Report, pp. 61, 62.

privies, the disposition of offal and the location of stables came within the purview of the Commission. Whether officers paid proper attention to the personal cleanliness of the men was noted. The army was well supplied with clothing "but scrupulous nicety and exactness in the care of articles of dress and equipment" were lacking and the rectification of these abuses was deemed important. "Slovenliness is our most characteristic national vice," wrote Olmsted and this vice he and his associates laboured to correct. He recommended that "each soldier should be provided with a clothes brush, shoe brush, tooth brush, comb and towel adapted to be carried snugly in the knapsack and for which he should be required to account weekly."<sup>1</sup>

The food was abundant, good and "generally satisfactory to the men."<sup>2</sup> According to Dr. Hunt who wrote one of the papers in the Sanitary Commission Medical Memoirs, "the United States army ration had accidentally approximated itself to a standard approaching that which had been experimentally found correct."<sup>3</sup> Through the effort of the Commission the men were permitted to commute their rations, selling to the government surplus food which would otherwise have been wasted; savings thus made were called company funds and were used to purchase fresh vegetables, milk and butter.<sup>4</sup> It must be remembered that canned vegetables with few exceptions were not to be had at the time of the Civil War although desiccated vegetables were used to some extent.<sup>5</sup> The cooking of the volun-

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<sup>1</sup> Olmsted's Report, pp. 2, 5, 6, 12, 15, 17, 18, 20, 21.

<sup>2</sup> Ibid., p. 21. <sup>3</sup> Medical Memoirs, p. 77. <sup>4</sup> Olmsted's Report, pp. 21, 22.

<sup>5</sup> Ibid. p. 21. Professor William T. Sedgwick of the Massachusetts Institute of Technology has kindly made for me some careful inquiries in regard to the history of the canning industry and informs me that William Underwood and Company of Boston sold canned foods during the Civil War. From 1861 to 1864 that company furnished the Navy Department with a considerable quantity of canned tomatoes and canned roast beef, as well as pickles and curried cabbage. They also sold pickles to the Sanitary Com-

teers was bad at the commencement of the war. "An American intrusted with cooking for the first time," wrote Dr. Bartholow, "thinks only of frying; the Napoleonic maxim — the soup makes the soldier — was not sufficiently attended to."<sup>1</sup> But improvement was constant until there was a fairly wholesome preparation of food. The pie-peddler was an enemy. When he had facility of access to a camp it was noted that the number on the sick list increased. Evil came to the men from the sutler's shop which would have been avoided had the instructions of the army regulations been thoroughly carried out. In some regiments the sutlers were allowed to sell liquor; in others they and the pie-peddlers sold it surreptitiously, yet it was Olmsted's opinion that our volunteers were more temperate than any European army. Olmsted spoke of the benefit of "systematic athletic recreations" both in themselves and for the reason that they kept the men from gambling at cards and he reported that the military music of the regimental bands had a "wholesome and stimulating influence" promoting "health, discipline and efficiency."<sup>2</sup> The men were "generally disposed to send home from half to three-fourths of their pay" and he recommended that this disposition be facilitated and encouraged. "The practice," he wrote, "improves the moral tone of the soldier, by keeping up his sense of continuing relation with his family. It tends to preserve him from the vices of the camps and from becom-

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mission. William Lyman Underwood, who obtained this information for Mr. Sedgwick by an examination of the old books of the company writes March 11, 1902: "During 1861 and 1862 I think that William Underwood and Company was the only firm who were packing for the government though in 1863 and '64 the Navy was buying canned tomatoes from other concerns." It may be affirmed with confidence that canned peas and canned string beans were not furnished the army or the Sanitary Commission at any time during the war.

<sup>1</sup> Medical Memoirs, pp. 9, 10.

<sup>2</sup> Olmsted's Report, pp. 23, 24, 25, 31. Of the sobriety of the Army of the Potomac, see America in the Midst of the War, Sala, vol. i. p. 287.

ing a mere mercenary man-at-arms, and it thus makes him a better citizen when he returns to civil life.”<sup>1</sup> A large part of the report was given up to the consideration of existing diseases with suggestions how a large part of the sickness might be prevented. It was the opinion of the Commission that “about seven-eighths of the surgeons and their assistants” were “fairly qualified for their duties.”<sup>2</sup>

This abstract of Olmsted’s report, which was made six months after the establishment of the Commission, may give an idea of its work and its purpose in the way of inquiry into evils and advice tending to their prevention. A good supplement to this official document is the account of her experience by Katherine Prescott Wormeley, a lady of good family, refinement and intelligence, the translator, since the war, of Molière and Balzac, who went from Newport as a nurse to the Army of the Potomac during the Peninsular campaign, and wrote to her mother and friends letters which give a vivid idea of the hospital transport service and a part of the work of the Sanitary Commission: a relation of the novel duties which women of social position imposed upon themselves from their devotion to the cause.<sup>3</sup> For many others like her did similar work during the war.

“We begin the day,” she wrote, “by getting them [the wounded and sick] all washed, and freshened up, and breakfasted. Then the surgeons and dressers make their rounds, open the wounds, apply the remedies, and replace the bandages. This is an awful hour; I sat with my fingers in my ears this morning. When it is over we go back to the men and put the ward in order once more; remaking several of the beds, and giving clean handkerchiefs with a little cologne or baywater on them, — so prized in the sickening atmosphere of wounds. We

<sup>1</sup> Report, p. 32.

<sup>2</sup> *Ibid.*, p. 53.

<sup>3</sup> The letters were printed in a book published in 1888 under the auspices of the Massachusetts Commandery of the Loyal Legion.

sponge the bandages over the wounds constantly,—which alone carries us round from cot to cot almost without stopping, except to talk to some, read to others, or write letters for them; occasionally giving medicine or brandy, etc., according to order. Then comes dinner, which we serve out ourselves, feeding those who can't feed themselves. . . . I am astonished at the cheerful devotion — whole-souled and whole-bodied devotion — of the surgeon and medical students attached to this boat. . . . It is not a battle which destroys so many lives as it is the terrible decimating diseases brought on by exposure and hardships and the climate of marshes and water-courses. The majority of the cases of illness which I have seen were men who dropped exhausted from the army on its march. . . ." It is false that "a lady must put away all delicacy and refinement for this work. It is not too much to say that delicacy and refinement and the fact of being a gentlewoman could never *tell* more than they do here." Miss Wormeley speaks of Olmsted as a man "who knows everything."

Word came that a hundred sick some distance off were "dying in the rain." Volunteers went after them. This is her comment when the sick men were brought on the supply boat: "Any one who looks over such a deck as that, and sees the suffering, despondent attitudes of the men, and their worn frames and faces, knows what war is, better than the sight of wounds can teach it. . . . I hope people will continue to sustain the Sanitary Commission. Hundreds of lives are being saved by it. I have seen with my own eyes in one week fifty men who must have died without it, and many more who probably would have done so. . . . I like Mr. Olmsted exceedingly, autocrat and aristocrat that he is; I feel that he would protect and guard in the wisest manner those under his care. . . . He is a man of the most resolute self-will; . . . his reticence is one of his strong points; he directs everything in the fewest possible words; there

is a deep calm thoughtfulness about him. . . . Day and night, without sleep, sometimes without food, Mr. Olmsted and Mr. Knapp [in charge of the supply department of the Commission] are working their brains and their physical strength to the utmost."

After the battle of Fair Oaks (May 31, 1862) Miss Wormeley wrote: "Men in every condition of horror, shattered and shrieking, were being brought in on stretchers borne by 'contrabands' who dumped them anywhere, banged the stretchers against pillars and posts, and walked over the men without compassion. There was no one to direct what ward or what bed they were to go into. Men shattered in the thigh, and even cases of amputation, were shovelled into top berths without thought or mercy." Three days later she said: "I ought to say that I believe the confusion and neglect on the part of the Medical Department which occurred last week was exceptional, and not likely to occur again. . . . But, after all, I fear the principle of active war is, and perhaps must be—every marching man is precious; when he drops, he's a dog." July 8, 1862 just before going home she wrote: "The Government is doing well by the sick and wounded. The Sanitary Commission may justly claim that it has led the Government to this; and it can now return to its legitimate supplemental work,—inspecting the condition of the camps and regiments, and continuing on a large scale its supply business."<sup>1</sup>

This remark opens to our notice the relief work of the Sanitary Commission. It collected from the people and distributed to the hospitals bedding and clothing and delicacies of all sorts for the sick and wounded.<sup>2</sup>

<sup>1</sup> These citations are from letters written between May 13 and July 8, 1862 and printed in *The Other Side of War*, Wormeley, pp. 26, 33, 34, 36, 38, 57, 63, 101, 103, 124, 150, 193.

<sup>2</sup> For a list of the supplies sent the Army of the Potomac, July, August, 1862, see Wormeley, p. 196.

When the scurvy broke out in the army it sent forward fresh vegetables. "What shall be done with that last hundred dollars?" Miss Wormeley was asked when she returned home. "Oh, spend it in onions," she cried.<sup>1</sup> The Commission sent out "potato and onion circulars" to which the farmers of the Northwest responded generously; these potatoes and onions were distributed where there was the most need of them. We, Dr. Bellows said, averted the scurvy at Vicksburg, Murfreesborough and before Charleston.<sup>2</sup> The people gave supplies freely: indeed it was as easy for the Commission to get ten dollars' worth of materials made with women's hands or of produce raised on men's farms as it was to get one dollar in money.<sup>3</sup>

Money however was still needed despite the large amount of gratuitous service given the Commission. The government was not asked for financial help; it was part of the Commission's plan to receive its support from voluntary contributions. Confining itself at first to the work of inquiry and advice it had not required a large sum but its field kept enlarging constantly and when it took upon itself to supplement the government in the relief of the sick and wounded it found a large amount of money necessary. Dr. Bellows explained that it used fifteen-sixteenths of its contributions to furnish supplies and transportation, the other sixteenth going "into the support of its homes, its lodges, its machinery of distribution, its hospital directory and hospital and camp inspection." After the first two years of the war the contributions of supplies in the

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<sup>1</sup> Wormeley, p. 206.

<sup>2</sup> Feb. 8, 1864, San. Com. Bulletin, vol. i. p. 227; Stillé, pp. 191, 333. For list of supplies sent to the Army before Vicksburg, p. 339; those distributed in Western Departments, Appendix to Newberry's Report of Sept. 1, 1863.

<sup>3</sup> Stillé, p. 190. For vegetables distributed to the Army of the Potomac, June, 1864, see p. 398.

way of bedding and clothing fell off, the superfluity of these articles in Northern homes having been exhausted; and the consequent deficiency at the front had to be made up by purchase. Moreover there were many things which could not be furnished by private individuals. Condensed milk, beef stock and crackers were bought by the ton, wines and spirits by the barrel, tea, coffee and sugar by the chest and hogshead, crutches, bed rests, mattresses and bedsteads by the hundred, ice by the cargo. Farmers did not send forward vegetables rapidly enough to avert the danger of scurvy, therefore the Commission purchased cargoes of potatoes, onions, curried cabbage, lemons, oranges and anti-scorbutics and tonics.<sup>1</sup>

In 1861 and 1862 the people of the North were poor and money came in slowly; up to October 1, 1862, the whole receipts had been less than \$170,000.<sup>2</sup> The Commission was embarrassed for the want of funds when there came an unexpected contribution which by its material and moral effect lifted the work out of this difficulty. The mayor of San Francisco telegraphed to the President that a hundred thousand dollars had been raised in that city for the sick and wounded soldiers and inquired to whom it should be given. The President asked the advice of Dr. Hammond, the surgeon-general of the army, who at once said, Give it to the Sanitary Commission.<sup>3</sup>

California had many times appealed to the sense of the romantic and did so again in the autumn of 1862. At the outbreak of the war it had seemed that she was in danger of joining the South but she speedily espoused the Union cause although for reasons satisfactory to the Washington government did not furnish any

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<sup>1</sup> Dr. Bellows, Feb. 8, 1864, San. Com. Bulletin, vol. i. p. 227. For supplies distributed during and immediately after the battle of Gettysburg, *ibid.*, p. 229.

<sup>2</sup> Stillé, pp. 200-201.

<sup>3</sup> *Ibid.*, pp. 200, 201.

troops for the Northern army.<sup>1</sup> Men of our time<sup>2</sup> who can go from New York to San Francisco in four days or if travelling for pleasure have the choice of many railroad routes, need to be reminded that in 1862 there was no rail communication with California and the distance by water was five thousand miles; the bank draft by which the gift to the Commission was conveyed was twenty-five days on the way from San Francisco to New York. Indeed telegraphic communication had been established only the previous year. This far-away country contributing more than half as much as all the rest of the Northern States aroused a spirit of emulation which exhibited itself in a marked increase of giving, first in supplies, and during the second year of plenty (1864) in money. California herself, gratified at the enthusiastic reception of her gift sent fourteen days later another hundred thousand dollars;<sup>3</sup> she had not felt the hard times of the first year and a half of the war, did not recognize the suspension of specie payments and had continued her business operations on the gold and silver basis.<sup>4</sup> February 8, 1864 Dr. Bellows wrote that of the one million dollars in cash which had in three years reached the central treasury of the United States Sanitary Commission nearly three-quarters had come from the Pacific coast.<sup>5</sup> Indeed in the autumn of 1863 California had asked what were his needs, and when they were made known set to work diligently to raise the desired sum of money.<sup>6</sup> The following spring Dr. Bellows went to California and during his sojourn of four and a half months had a continuous ovation which manifested itself in generous

<sup>1</sup> Royce's California, p. 499; Stillé, p. 213.      <sup>2</sup> 1904.      <sup>3</sup> Stillé, p. 203.

<sup>4</sup> H. H. Bancroft, vol. xix. p. 299. "How are taxes paid in California?" asked Reverdy Johnson in the Senate, June 1, 1864. "All in coin," replied Senator Conness of California. "There is no such thing as a legal-tender note or paper money in circulation there." — *Globe*, p. 2629.

<sup>5</sup> Bulletin, vol. i. p. 227.

<sup>6</sup> Stillé, p. 223.

contributions, a large amount of the money being raised in novel and grotesque ways.<sup>1</sup>

Dr. J. S. Newberry, the efficient Secretary of the Western Department of the Sanitary Commission spoke of its influence "in inspiring the people in every farmhouse and cottage wherever a good grandmother is knitting a pair of socks or a child making a pincushion, with a wider, deeper, higher and purer patriotism."<sup>2</sup> This remark is illustrated by an incident related at a meeting in Brooklyn in January, 1864 by Henry Ward Beecher. A little boy seeing a pale soldier before his mother's house went up to him and asked if he was sick. "No but I am hungry." The boy lisped, "Ma keeps a soldiers' hotel, come in;" and then encouraged by the result the little fellow went out and brought in twenty-seven others to whom a hearty breakfast was given.<sup>3</sup>

The Commission was a means of spreading news from the army of an inspiring sort. At this same meeting Beecher read a letter from an Indiana young woman of education, culture and wealth who had gone out as a nurse with the first regiment which went from her State. "When the fall of Vicksburg was announced in Jackson Hospital at Memphis," she wrote, "the whole great building filled with terribly wounded, rang for an hour with cheers and songs. Some sang and shouted who never had strength to speak again, and many who knew they should never hear of another victory on earth."<sup>4</sup>

This patriotic feeling was displayed in a manner which engrossed public attention by the Sanitary Fairs. Beginning in Chicago in the autumn of 1863, then extending to Boston and many other cities, they reached their acme in the Metropolitan Fair of New York City,

<sup>1</sup> Stillé, chap. viii.

<sup>2</sup> Report, Sept. 1, 1863, p. 19.

<sup>3</sup> San. Com. Bulletin, vol. i. p. 179.

<sup>4</sup> Ibid.

and the Great Central Fair of Philadelphia, each of which made for the Sanitary Commission over a million dollars. Ladies of high social position took hold of these enterprises in the conduct of which they presented a variety of entertainment, drawing a crowd willing to pay for being amused; and by many ingenious devices they coined the love of novelty, the contention about favourite generals<sup>1</sup> and the desire to witness what was deemed a magnificent display. Mingled with these was of course the element of patriotism. It is inconsistent that men and women will spend more money at a patriotic or charitable fair for a passing spectacle or for useless articles than they will give outright for the cause but it is nevertheless true and the promoters of the fairs operated on this trait with lucrative results. "Our fair is a great success," wrote Phillips Brooks from Philadelphia. "It is incessantly crowded and is making an immense amount of money. The whole city is alive with it and I think it is going to do good in more ways than one. It keeps people's loyalty alive and their sympathies active."<sup>2</sup> The treasury of the Sanitary Commission received in money apart from the contributions of the Pacific coast \$3,500,000 of which \$2,736,000 came from the Sanitary Fairs.<sup>3</sup> Nor was this the whole of their benefactions. The proceeds of some of the fairs, notably the \$78,000 of Chicago went into the branch treasuries.<sup>4</sup> When after careful thought Lincoln spoke, he spoke better than any one else during the war, as back of his words was a feeling intense and unique. "This extraordinary war," he said at the close of a Sanitary Fair in Washington, "in which we are engaged falls heavily upon all classes of people, but the most heavily upon the soldier. For it has been said, all that a man hath will he give for his life; and while all contribute

<sup>1</sup> See vol. iv. p. 507, note 2.

<sup>2</sup> Stillé, pp. 242, 548.

<sup>3</sup> June 18, 1864, *Life*, vol. i. p. 513.

<sup>4</sup> *Ibid.*, p. 483.

of their substance, the soldier puts his life at stake, and often yields it up in his country's cause. The highest merit then is due to the soldier. In this extraordinary war, extraordinary developments have manifested themselves, such as have not been seen in former wars; and amongst these manifestations nothing has been more remarkable than these fairs for the relief of suffering soldiers and their families. And the chief agents in these fairs are the women of America. I am not accustomed to the use of language of eulogy; I have never studied the art of paying compliments to women; but I must say, that if all that has been said by orators and poets since the creation of the world in praise of women were applied to the women of America, it would not do them justice for their conduct during this war. I will close by saying, God bless the women of America."<sup>1</sup>

During its existence the central treasury of the Sanitary Commission received nearly five millions in cash; of this amount almost a million and a half came from the Pacific coast, and, as has been stated, \$2,736,000 from the Sanitary Fairs. Supplies to the estimated value of fifteen millions were received and distributed.<sup>2</sup> The moral effect on the soldiers of this benevolent outpouring must have been significant as they were aware of "men who stay at home to make money whilst they continue to expose their lives to the vicissitudes of war."<sup>3</sup>

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<sup>1</sup> Lincoln, Complete Works, vol. ii. p. 500. See also his remarks at Philadelphia, *ibid.*, p. 533; *Life of Brooks*, Allen, vol. i. p. 512.

<sup>2</sup> Stillé, pp. 242, 549.

<sup>3</sup> Dec. 8, 1863, O. R., ser. iii. vol. iii. p. 1156. My authorities other than those cited from time to time are: Dr. Bellows's article, "Sanitary Commission," Johnson's Cyclopædia; O. R., ser. iii. vol. ii. pp. 298, 564; U. S. San. Com. Memoirs Statistical, Gould; Dr. S. A. Green in U. S. San. Com. Memoirs Medical, p. 111; San. Com. Docs., 68, 71, 80, vol. ii.; Ferguson, *America During and After the War*, pp. 82-85; Letters and Recollections, J. M. Forbes, vol. i. p. 263 *et seq.* The names of men and women prominently engaged in this work make a roll of honour. See Stillé, pp. 63, 64, 184, 186; Olmsted's Report, p. 68.

Another beneficent undertaking was the United States Christian Commission, organized by a convention of Young Men's Christian Associations, the object of which was to promote "the spiritual good of the soldiers and incidentally their intellectual improvement and social and physical comfort."<sup>1</sup> Despite a certain amount of cant and narrowness,<sup>2</sup> the positive work of the Commission was good, its tendency being to improve the morals of the soldiers. "The association of men in masses or herds," wrote Dr. Bartholow, "rapidly produces mental and moral degeneracy." There was a tendency "to run into excesses of drinking and venery" even by those whose personal morals had been good before enlistment.<sup>3</sup> It is a common observation that nowhere is the influence of good women so potent as in the United States.<sup>4</sup> The complete withdrawal of masses of men from that influence could not be otherwise than demoralizing and when substituted for it was association with dissolute female camp-followers the result was disastrous physically as well as morally. During the first two years of the war there were 63,265 cases of "enthetic diseases chiefly amongst the garrisons of the large towns."<sup>5</sup> Against the propensity to immoral practices the Christian Commission fought and, from its peculiar mode of working, its success lay in the intimate connection between religion and morals in the minds of the American soldiers. Olmsted thought that two-thirds of the volunteers were American born "and nine-tenths citizens educated under the laws of the Union and in the English tongue,"<sup>6</sup> so that a large proportion of them had had religious nurture in their boyhood either in the home or Sunday-school. Averaging under the age of twenty-five<sup>7</sup> they were at times susceptible to

<sup>1</sup> Annals of the United States Christian Commission, Moss, p. 107.

<sup>2</sup> For example, *ibid.*, pp. 67, 568.

<sup>3</sup> San. Com. Memoirs Medical, pp. 11, 12.

<sup>4</sup> See vol. iii. p. 97.

<sup>5</sup> San. Com. Memoirs Medical, p. 20.

<sup>6</sup> Report, p. 8.

<sup>7</sup> *Ibid.*

religious influences by awakening their early associations. As they themselves put it they would not "go back on their bringing up." In the winter of 1863-1864 chapel tents and canvas roofs for chapels to be erected by the soldiers were furnished, and largely attended religious meetings in camp were of frequent occurrence. There was sometimes good preaching and a remarkable religious revival took place. While revival conversions are often followed by backslidings it is to the credit of the Christian Commission that it did much in that dreary winter to relieve the "intolerable ennui" of camp life.<sup>1</sup> In this regard nothing impresses us so forcibly as the report of 2588 cases of homesickness and 13 deaths from that cause during the first two years of the war. To this must be added the indirect influence of that malady in depressing the system to an extent which often prevented recovery from acute diseases.<sup>2</sup>

Olmsted had noted the "intense demand for books and periodicals"<sup>3</sup> and the Christian Commission did much to supply this want. It distributed 466,000 copies of Bibles, Testaments and portions of Scripture received gratuitously from the American Bible Society, 8,000,000 copies of knapsack books such as Newman Hall's "Come to Jesus," over 1,000,000 hymn and psalm books, 18,000,000 religious newspapers, and 39,000,000 pages of tracts.<sup>4</sup> The Christian Commission wrought not only in religious but in secular channels. It bought at half-price the better class of magazines such as *Harper's Monthly* and the *Atlantic* and sent them to the soldiers. It established in the camps free reading rooms where State and county newspapers were kept on file;<sup>5</sup> in these were "Soldiers Free Writing Tables," where

<sup>1</sup> Moss, pp. 178, 179, 182, 186, 196, 201, 209, 210, 287, 422.

<sup>2</sup> San. Com. Memoirs Medical, p. 21.

<sup>3</sup> Report, p. 29.

<sup>4</sup> Moss, pp. 283, 292.

<sup>5</sup> "Every soldier in the field is a reader of newspapers." — Lowell, 1864, My Study Windows, p. 152.

paper and envelopes and even postage stamps might be obtained free, thus offering easy and abundant facilities for writing home.<sup>1</sup> It also sent money from the soldiers to their families.<sup>2</sup> It took care of the wounded after a battle, and furnished them with food, hot coffee and stimulants; and by means of an ingeniously contrived coffee wagon, its workers bore boilers full of this useful drink to those who lay stricken on the field.<sup>3</sup>

Its "general summary of receipts and values" for 1862–1865 was \$6,291,000.<sup>4</sup>

The Christian Commission received the commendation of Lincoln who at Philadelphia spoke of "its Christian and benevolent labors"; of Stanton, Grant, Thomas and many others. At the opening of the Atlanta campaign General Sherman in response to a request to pass two delegates of the Christian Commission to Chattanooga replied: "Certainly not. There is more need of gunpowder and oats than any moral or religious instruction." But after the close of the war he gave his testimony to the value of its work, although in his opinion its agents at times "manifested an excess of zeal."<sup>5</sup>

Another organization of a different character must be spoken of: the New England Loyal Publication Society, whose mission was to influence public opinion in favour of sound principles of finance and politics by the distribution of printed matter. John M. Forbes was President of the Executive Committee and the practical management of the work fell into the hands of Charles Eliot Norton and James B. Thayer. Newspaper articles and speeches profitable for instruction were collected and printed on a broadside which was sent to nine hun-

<sup>1</sup> Moss, p. 485 *et seq.* On this, see Olmsted's Report, p. 29, note.

<sup>2</sup> On the benefit of this, see Olmsted, *ante*, p. 250.

<sup>3</sup> Moss, pp. 239, 419, 445, 450. <sup>4</sup> *Ibid.*, p. 293.

<sup>5</sup> *Ibid.*, pp. 109, 124, 238, 239, 242, 496; Lincoln, Complete Works, vol. ii. p. 534; see *America in the Midst of War*, Sala, vol. i. p. 329.

dred newspapers in different parts of the country: most of them were glad of such assistance in making up their issues. The Society thought that they reached a million readers.<sup>1</sup>

We must now recur to the less pleasing theme of corruption, and take up a case of alleged corruption in Congress. I purpose to relate with some detail the steps which were taken in the imposition of an increased tax on whiskey during the year 1864. By the tax act of 1862, whiskey paid twenty cents per gallon. In his report of December 10, 1863 the Secretary of the Treasury said that the Commissioner of Internal Revenue recommended an increase of the duty on distilled spirits to sixty cents per gallon. January 14, 1864 Thaddeus Stevens, chairman of the Committee of Ways and Means introduced into the House of Representatives a bill imposing such a tax to take effect after its passage.<sup>2</sup> Fernando Wood, a representative from New York offered an amendment taxing whiskey on hand, which he proposed should pay forty cents additional to the twenty cents per gallon it had already paid. He aimed to reach the speculators who had bought it for a rise, among whom he said were politicians who had learned in advance what the recommendation of the Secretary of the Treasury would be.<sup>3</sup> Other amendments increasing the amount of the tax were offered and the debate took a wide range. Illinois, Ohio, New York, Pennsylvania and Indiana were the large distilling States and many of their representatives stood up for their local interests with much the same arguments that others might have used for their iron, cotton or woollen industries. Justin S. Morrill of Vermont, a member of the Ways and Means Committee examined the subject free of sectional con-

<sup>1</sup> Letters and Recollections, J. M. Forbes, vol. i. p. 328.

<sup>2</sup> *Globe*, p. 215.

<sup>3</sup> *Ibid.*, p. 218.

siderations. He admitted that most of the spirits was in the hands of the speculators, but added, "You can no more reach that speculation than you can reach the speculation in gold or in any other commodity." He defended the distillers who according to his belief had paid their taxes as fairly and honestly as men in any business.<sup>1</sup> On the other hand James A. Garfield of Ohio supported the amendment of Wood. On January 22, 1864 the bill with the provision for taxing whiskey on hand passed the House,<sup>2</sup> but this provision was struck out by the Senate, although against the judgment of Sherman and Grimes. Grimes asserted that nearly all the storerooms in Cincinnati, St. Louis, Chicago and the smaller towns in the Northwest were "chock full of whiskey," most of which was owned not by the distillers but by the speculators. "If we want to get money into the Treasury," he added, "it seems to me we should impose some tax on the whiskey on hand."<sup>3</sup> When the bill came back to the House, the Committee of Ways and Means adopted the view of the Senate against taxing the present stock, which elicited from Fernando Wood the declaration that the "extraordinary spectacle" was presented of the Committee of Ways and Means favouring the monopolists and speculators at the expense of the public Treasury. The men who had thronged the lobbies of the House and Senate, who had buttonholed the members of the Ways and Means Committee and of the Finance Committee were not desirous of protecting the public interest but were seeking their own individual gain. He iterated his former statement with particulars. Politicians having advance information, he said, had bought whiskey at forty-six cents which went up in November, 1863, to sixty-one cents, and in December to ninety-two cents per gallon. Let us therefore tax

<sup>1</sup> *Globe*, pp. 271, 272.

<sup>2</sup> The vote on the Wood amendment was 97 : 57; on the passage of the bill, 86 : 68, *Globe*, pp. 311, 313.

<sup>3</sup> *Ibid.*, p. 492.

the spirits which presumably carries a profit to the holder, and we shall get a revenue of ten million dollars.<sup>1</sup> The Senate and House disagreed. The matter went to a committee of conference. Sherman, who was one of the conferees tried hard to get some tax imposed on whiskey on hand but was unsuccessful; and the law as finally determined left out such a provision and merely taxed at sixty cents per gallon spirits, which should be distilled after the passage of the act.<sup>2</sup>

At the time it was believed that illegitimate means had been used to defeat the taxation of liquor in stock and this belief found vigorous expression in the New York *Tribune*. "The whiskey gamblers," it said, "have cornered the Treasury and pocketed some five millions. . . . Gentlemen in Congress scout the idea of any imputation that their votes on this subject have been swayed by pecuniary inducements. Let us look at the facts: When the bill was originally under consideration the House, on motion of Fernando Wood voted, by fully two to one [97:57] to impose a tax on liquors on hand. No petitions had been presented, no newspaper had then spoken on the subject. If that was not an unbiassed and free expression of the judgment of that body, we know not how such expression could have been had. Thus the bill went to the Senate and at once the agents of the whiskey monopolies began to flock to Washington. Any member who does not know that these were there in great force, numerical and otherwise, may easily be convinced if he will but inquire. Soon the Finance Committee of the Senate surprised and pained us by reporting in accordance with the wishes and interest of the speculators; and in due time the Senate concurred in that report. Thus the bill was sent back to the House when some *fourteen* members changed their votes from the side of the Treasury to that of the monopolists,

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<sup>1</sup> *Globe*, p. 661.

<sup>2</sup> Chap. xx. Approved March 7, 1864.

and it was clear that the latter were to win. And now they have won, at the expense of the consistency of Congress and the interest of the Nation. Who believes that the subservient Members have given all this immense sum to the Whiskey Gamblers and kept nothing for themselves? We do not."<sup>1</sup> It was common report that Congressmen had been bought to secure this legislation by a fund raised by the distillers and speculators and it was even asserted that members of the House Committee of Ways and Means and the Senate Committee on Finance had been tampered with.<sup>2</sup>

With that recollection enforced by traditional testimony it was a surprise to me to ascertain, when I came to study the transaction, how senators and representatives had divided on this question. Fernando Wood introduced the amendment and was the champion of the project to tax whiskey on hand. Wood was dishonest in business and tricky in polities. In an address delivered by George William Curtis more than fifty times from Maine to Maryland<sup>3</sup> he was called a "swindler."<sup>4</sup> His loyalty was continually suspected during the war; and it was little wonder that Owen Lovejoy, who now represented the large distilling district of Peoria (Ill.) and who had been an abolitionist in a part of the country at a time when it cost much to be an abolitionist, wrote from his sick-bed forty days before his death a letter to the House in which he said that Wood's measure for raising revenue would be a gift of

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<sup>1</sup> March 5, 1864; see also *Tribune* of Feb. 16, 17, 18; *Chicago Tribune*, May 3, 1864.

<sup>2</sup> The Committee of Ways and Means was: Thaddeus Stevens, Pennsylvania, Justin S. Morrill, Vermont, George H. Pendleton, Ohio, Reuben E. Fenton, New York, Samuel Hooper, Massachusetts, Robert Mallory, Kentucky, Henry T. Blow, Missouri, John A. Kasson, Iowa, and Henry G. Stebbins, New York. The Committee on Finance was: Fessenden (chairman), Sherman, Howe, Cowan, Clark, Van Winkle, and Conness.

<sup>3</sup> In 1864 and 1865. It was first delivered in March, 1864.

<sup>4</sup> *Orations and Addresses*, vol. i. p. 143.

the Greeks.<sup>1</sup> Justin S. Morrill, whose name was a synonym for incorruptibility said before the crucial vote was taken: "I trust that the House will feel a just pride if they have once followed the lead of the gentleman from New York [Fernando Wood] by now backing out."<sup>2</sup>

An analysis of the yeas and nays shows a division among honest men according as they might have been influenced by legal and economic arguments. The debate partook largely of a businesslike character and as a business proposition it is easy to see why representatives of the highest character for integrity might differ. Among those who on the final vote gave their voice for taxing whiskey on hand were: Allison of Iowa, Boutwell of Massachusetts, Garfield of Ohio, Jenckes of Rhode Island, Julian of Indiana, E. B. Washburne of Illinois, Windom of Minnesota and Kernan of New York, all Republicans but the one last named. Among those in the majority which defeated the Fernando Wood proposition were: Francis P. Blair, Jr., of Missouri, Fenton, New York, Hooper and Rice, Massachusetts, Kelley and Thaddeus Stevens, Pennsylvania, Republicans; English, Connecticut, Griswold, New York, Holman, Indiana (who during his long service in Congress afterwards won the title of the "Great Objector"), Pendleton, Ohio, Samuel J. Randall of Pennsylvania, Democrats. Morrill of Vermont was paired with Kasson of Iowa but had he been present would have voted against taxing whiskey on hand.<sup>3</sup>

The intimation in the article of the New York *Tribune*, which has been quoted, is that fourteen members altered their votes for money. An analysis of the yeas and nays, taken in connection with the character of some of the

<sup>1</sup> *Globe*, p. 662.

<sup>2</sup> *Ibid.*, p. 663.

<sup>3</sup> Feb. 16, 1864, *Globe*, p. 692. Blair is set down in the *Tribune Almanac* as a Border State man. John A. Griswold was elected as a War Democrat in 1862; he afterwards joined the Republicans, and was their candidate in 1864.

men who changed sides will show clearly that it would have been impossible for the *Tribune* to maintain this sweeping charge; for it is indisputable that a number of the representatives who voted one way January 22 and another February 16<sup>1</sup> had altered their opinions from conscientious motives; and indeed a perusal of the debates in the House and the Senate and a careful consideration of the many steps which led to the final enactment will make it clear how honest men came to change their minds.

The test vote in the Senate came on a motion to re-commit the bill to the Committee on Finance with instructions to amend it taxing whiskey on hand twenty cents per gallon in addition to what it had already paid. For the tax were Anthony of Rhode Island, Howard and Chandler of Michigan, Doolittle of Wisconsin, Grimes of Iowa, Sherman of Ohio, Trumbull of Illinois, all Republicans. Against any tax of whiskey on hand which had already paid the twenty cents per gallon were: Collamer, Vermont, Fessenden, Maine, Harris and Morgan, New York, Henderson, Missouri, Sumner and Wilson, Massachusetts, Wade of Ohio, Republicans; Buckalew, Pennsylvania, and Hendricks, Indiana, Democrats.<sup>2</sup>

Now the same debates, votes and changes concerning a tax on iron, cotton or woollen manufactured goods would not probably have given rise to such extensive charges of corruption but the dominant sentiment of intelligent and moral American people is that there is something so essentially bad about whiskey that the thing can be touched in no shape without contamination—a feeling which cropped out in the discussion in the House.<sup>3</sup> In no other Christian country are there so many teetotalers; nowhere else is the powerful influence of women so markedly directed against immoderate indulgence in drink. The *Tribune* spoke for the people who were

<sup>1</sup> *Globe*, pp. 311, 692.

<sup>2</sup> Feb. 4, 1864, *Globe*, p. 494.

<sup>3</sup> *Ibid.*, p. 269.

strenuous for total abstinence and Greeley himself, a consistent teetotaler, was not backward in the expression of their views. Its belief as set down in the article cited is a case of jumping to conclusions which flattered the prejudices of its editor and readers. Nevertheless it cannot be denied that the business of making and selling liquor in the United States is demoralizing, perhaps because of the hostile sentiment it has to contend with; thus my distrust of the conclusion of the *Tribune* and others of a similar sort does not come from any faith in the virtue of the distillers and speculators but from my confidence in the honesty of most of the representatives and senators. That this Thirty-eighth Congress was on the whole deserving of confidence may be safely affirmed although the student cannot help feeling that it was not equal in fair dealing to the preceding one. Perhaps it would have been so had the Democratic minority done its full duty.<sup>1</sup> The House of Representatives which we are considering had 102 Republicans and unconditional Unionists, 75 Democrats, and 9 Border State men,<sup>2</sup> and while I have seen no evidence of that collusion between the two parties that betokens the worst sort of corruption, the minority did not evince the critical vigilance which the occasion demanded and which was due from it in view of the numbers that it mustered. Yet among them were members who did useful work in the committee room and the remark which I made regarding the Democrats in the preceding House<sup>3</sup> applies with even greater force to their action in the popular body of the Thirty-eighth Congress. They did not pursue a policy of obstruction which in June, 1864 would have intensified the danger in which the country lay. On the other hand, though, they beat about for a general issue on which to turn out the Republicans instead of using their energy in the study of details and

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<sup>1</sup> See vol. iv. p. 229.

<sup>2</sup> *Ibid.*, p. 419.

<sup>3</sup> *Ibid.*, p. 227.

the criticism of administration which in the long run from even the party point of view would have availed them better. Inflation, extravagance and the feverish condition of business affected the Democrats as well as the Republicans during the year 1864 and everybody laboured under an excitement that prevented the best results.

It is not surprising that the newspapers were ready to allege corruption as an easy explanation of certain proceedings of Congress when such charges were common talk among gentlemen and when a like opinion was put forward in the private correspondence of a strong supporter of the government. John M. Forbes in a letter to Sumner of June 27, 1862 inquires by indirection if "a majority of the senators are rotten"; and the same day he wrote to Charles B. Sedgwick, a representative from New York: "What is the present market price of a senator? S. was rather dear at fifty but I suppose he was rather high up on the committee!"<sup>1</sup> The inference from these letters is that a large number of senators might be bought for about fifty dollars each to support measures, which were not an issue of party or which did not attract public attention. Is there a better way to refute this implication than to name the senators who took their seats December 2, 1861?<sup>2</sup> Probably the truth of the matter is that a very

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<sup>1</sup> Letters and Recollections, vol. i. p. 319.

<sup>2</sup> CALIFORNIA

*Milton S. Latham*

*Joseph A. McDougall*

CONNECTICUT

*James Dixon*

*Lafayette S. Foster*

DELAWARE

*James A. Bayard*

*Willard Saulsbury*

ILLINOIS

*Orville H. Browning*

*Lyman Trumbull*

MASSACHUSETTS

*Charles Sumner*

*Henry Wilson*

MARYLAND

*Anthony Kennedy*

*James A. Pearce*

MICHIGAN

*Zachariah Chandler*

*Jacob M. Howard*

MINNESOTA

*Henry M. Rice*

*Morton S. Wilkinson*

OREGON

*Benjamin Stark*

*George W. Nesmith*

PENNSYLVANIA

*David Wilmot*

*Edgar Cowan*

RHODE ISLAND

*James F. Simmons*

*Henry B. Anthony*

TENNESSEE

*Andrew Johnson*

[Vacancy—seceded]

small number of senators and representatives in the Thirty-seventh Congress would accept money for their votes and influence in legislation on private bills and that if there were any change in the succeeding Congress, it was in the way of deterioration.<sup>1</sup>

By the act approved June 30, 1864 the tax on spirits was made \$1.50 per gallon to take effect at once; and \$2 was to be imposed on and after February 1, 1865.<sup>2</sup> The debate on this measure in the Senate in view of the earlier action of Congress on the sixty-cent tax is significant as the question of taxing whiskey on hand again came up. Sherman, one of the Finance Committee maintained that to put a high duty upon whiskey to be manufactured in the future without taxing that on hand would stop distillation, afford the government no revenue but would grant the whiskey manufacturers and dealers so enormous a bounty as to make them rich. Fessenden, chairman of the committee, thought it likely that the stock on hand was greater than ever before; perhaps there was enough to answer the demand for a year, as since the discussion began

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INDIANA	MISSOURI	VERMONT
[Vacancy]	ROBERT WILSON	Solomon Foot
Henry S. Lane	JOHN B. HENDERSON	Jacob Collamer
IOWA	NEW HAMPSHIRE	VIRGINIA
James W. Grimes	John P. Hale	WAITMAN T. WILLEY
James Harlan	Daniel Clark	JAMES S. CARLISLE
KANSAS	NEW YORK	WISCONSIN
James H. Lane	Preston King	James R. Doolittle
Samuel C. Pomeroy	Ira Harris	Timothy O. Howe
KENTUCKY	NEW JERSEY	
Lazarus W. Powell	John R. Thompson	
GARRET DAVIS	John C. Ten Eyck	
MAINE	OHIO	
Lot M. Morrill	Benjamin F. Wade	
William Pitt Fessenden	John Sherman	

Republicans in Roman 31, Democrats in Italics 10, Unionists in small caps. 7.

<sup>1</sup> For a less favourable view see *Chicago Tribune*, May 3; *Washington correspondence*, *New York Independent*, June 23, 1864.

<sup>2</sup> Vol. iv. p. 428.

last winter the distillers had been running their works to their full productivity; nevertheless he did not see the force of Sherman's argument. "I have no disposition," he said, "to legislate either to help men make money or to prevent their making money. That, it strikes me, is a very trifling consideration when you are attempting to digest a great system which is to endure not only for this year but also is to answer our purpose through many succeeding years."<sup>1</sup> Hendricks called to mind that in the preceding February and March the Senate, after a bitter contest with the House, had decided against taxing spirits on hand; and assuming that to be the fixed policy of the country men had bought and sold the commodity. While whiskey had advanced considerably in price, it had been changing hands continually, one man perhaps making a profit of one or two cents, his purchaser three or four cents and so on until the present holder might have but a small margin of profit. "If," he continued, "you tax the article in the hand of the present purchaser who has purchased upon the faith of the action of the Senate you destroy him. I say the Senate ought not to do it."<sup>2</sup> Sherman returned to the subject arguing that this view was incorrect. The present price of whiskey, he said, is \$1.25 to \$1.30 having risen in anticipation of a tax of one dollar and the holder of it can afford to pay a tax of at least fifty cents per gallon in addition to the twenty cents already paid and still be safe from the competition of the manufacturer. For with a duty of \$1.50 none will be distilled until the price reaches \$1.75 to \$2.<sup>3</sup> Fessenden maintained that the general principle of the bill was to tax production and not property; he really wished that there was some way consistent with a just and honest principle to get a revenue out of the large amount of liquor on hand as he agreed with

<sup>1</sup> May 25, 1864, *Globe*, p. 2461.

<sup>2</sup> *Globe*, p. 2462.

<sup>3</sup> *Ibid.*, p. 2547.

Sherman that for some time the government would get comparatively no revenue from the production of whiskey. Yet for the sake of that money he would not violate an honest and true principle of legislation and introduce confusion into one industry, thereby inducing men of business to fear that they could place no reliance upon the action of Congress.<sup>1</sup> To Trumbull the question seemed to be whether the government should get a part of the profit from the advance of whiskey or the speculators the whole of it, realizing fortunes.<sup>2</sup> By a vote of 25 to 15 the Senate decided against taxing whiskey on hand.<sup>3</sup> It is noteworthy that since the decision in February Sumner and Wilson of Massachusetts and Harris of New York had changed their opinions and now voted to tax spirits in store.

The prognostications of Sherman and Fessenden were partly realized. The direct revenue from distilled spirits for the fiscal year ending June 30, 1864 was 28 millions, for the year following 16 millions.<sup>4</sup> On the other hand the distillers and the speculators in whiskey made a large amount of money.<sup>5</sup>

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<sup>1</sup> *Globe*, p. 2549.

<sup>2</sup> *Ibid.*, p. 2550.

<sup>3</sup> May 28, 1864, *ibid.*

<sup>4</sup> Respectively \$28,431,797.83, \$15,995,701.66. Reps. Commissioners of Internal Revenue, 1864, 1865.

<sup>5</sup> David A. Wells, chairman of the Revenue Commission, wrote in his report of January, 1866: "The immediate effect of the enactment of the first three and successive rates of duty was to cause an almost entire suspension of the business of distilling which was resumed again with great activity as soon as an advance in the rate of tax in each instance became probable. The stock of whiskey and high wines accumulated in the country under this course of procedure was without precedent; and Congress, by its refusal to make the advance in taxation, in any instance, retroactive, virtually legislated for the benefit of distillers and speculators rather than for the treasury and the government. The profits realized by the holders of stocks, thus made in anticipation of the advance in taxation, has probably no parallel in the history of any similar speculation or commercial transactions in this country, and cannot be estimated at less than fifty millions of dollars. If to any this estimate should seem exaggerated, we will simply state that there was, in all probability on the 1st of July, 1864, a stock of high wines and whiskeys, previously made in anticipation of the tax, sufficient to meet all the requirements of the country for a period of from twelve to eighteen months; and on

I shall now speak of the commercial intercourse which went on between the North and the South during the conflict of arms. "It follows from the very nature of war," is an opinion of our Supreme Court, "that trading between the belligerents should cease."<sup>1</sup> This is a conclusion agreeable to the common sense of mankind for commerce and fighting at the same time between two peoples seems absurd. "It is a well-settled doctrine in English courts and with the English jurists," writes Chancellor Kent, "that there cannot exist at the same time a war for arms and a peace for commerce. The war puts an end at once to all dealing and all communication with each other and places every individual of the respective governments as well as the governments themselves in a state of hostility."<sup>2</sup> But our Supreme Court makes the exception that commerce between the belligerents may be carried on if "sanctioned by the authority of the government."<sup>3</sup> This is also affirmed clearly by Chancellor Kent.<sup>4</sup> "The Instructions for the government of the Armies of the United

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each gallon of this quantity a premium has been realized, owing to the advance of the tax from sixty cents to two dollars, of from ninety cents to one dollar and forty cents per gallon." This estimate of profits by Wells is only an intelligent guess. It seems difficult to arrive at the average annual production of spirits but the most positive statement which I have found is that of the Commissioner of Internal Revenue (Rollins) in his report of Nov. 30, 1865 wherein he gives the average tax production per year from Sept. 1, 1862 to June 30, 1865 at 40,537,371 gallons which may be presumed to be the amount required to meet the consumption. More difficult still is it to ascertain the stock on hand at any given time in 1864. Sherman (June 3) thought that a whole year's supply was on hand, while the Commissioner of Internal Revenue (Lewis) was of the opinion that the stock was a full six months' supply. *Globe*, p. 2711. The price of domestic whiskey in New York on Jan. 3, for the years 1863, 1864, 1865, was respectively 39¢, 94¢, \$2.24 per gallon. *Appleton's Annual Cyclopædia*, 1865, p. 349.

By act of Dec. 22, 1864 it was provided that the two-dollar-per-gallon tax on spirits should take effect Jan. 1 instead of Feb. 1.

<sup>1</sup> J. Davis, Dec., 1868, 8 Wall. 195. While this opinion was later than our Civil War it is simply a succinct expression of an old doctrine. See J. Story, 1814, 8 Cranch, 193; 1 Kent, 66.

<sup>2</sup> 1 Kent, 07.

<sup>3</sup> 8 Cranch, 193; 8 Wall. 195.

<sup>4</sup> 1 Kent, 66.

States prepared by Francis Lieber and revised by a board of officers" embraced these two principles adding that the "highest military authority" might also approve an agreement providing for this intercourse. These instructions were promulgated April 24, 1863 and did not formulate a rule so much as they took account of a condition of affairs. For the trading between the North and the South was large and the fact of it notorious. This business probably would not have varied much from what has been carried on between other warring countries or from what our own experience has shown in other wars had it not been for the great desire to obtain cotton. Despite the stimulus given to cotton production in other parts of the world by the blockade of the Southern ports and the large amount imported into Great Britain and the Continent from other countries,<sup>1</sup> the wish to obtain American cotton remained strong. "We want cotton," said the Prime Minister of England in July, 1861,<sup>2</sup> and the Washington government, eager to minimize the chance of the interference of England and France tried to devise some means by which these countries might get the staple so much desired. Acts were passed by Congress, proclamations issued by the President and regulations made by the Secretary of the Treasury under which a certain amount of commerce was carried on between inhabitants of the North and of the South.<sup>3</sup> The anxiety of the President and his advisers to furnish Europe with

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<sup>1</sup> Hammond's *The Cotton Industry*, p. 261.

<sup>2</sup> Vol. iii. p. 433.

<sup>3</sup> A pamphlet was issued by the government in 1863 entitled "Commercial Intercourse with States declared in Insurrection," which gives these in a convenient form: the Acts of Congress, July 13, 1861, May 20, 1862, March 12, 1863. The Proclamations of the President, Aug. 16, 1861, July 1, 1862, March 31, 1863. Treasury Department circulars, July 3, 1863, Sept. 11, 1863. Regulations under the act of March 12, 1863, also Sept. 11, 1863. Orders of the Secretary of War and of the Navy, March 31, 1863; see also Schuckers's Chase, p. 318 *et seq.*

cotton stands out saliently in their words and acts and it was a disappointment that the taking of a number of Southern seaports especially that of New Orleans failed to result in a supply.<sup>1</sup>

During 1861 the disposition in the Confederacy had been to burn cotton which was in danger of falling into the hands of the enemy and otherwise to withhold it from the shipping ports.<sup>2</sup> New Orleans was the largest cotton mart and its principal cotton factors, ninety-five in number, had advised the planters not to send cotton to that city. Some of the planters had not regarded this advice and continued to send it to New Orleans which was received by other factors who had not united in this recommendation. September 23, 1861 these ninety-five represented to the Governor of Louisiana and the Confederate general commanding that there was danger of large supplies being sent to New Orleans, "and this cotton from the known inefficiency of the blockade," they said, "will find its way to foreign ports and furnish the manufacturing interests of Europe and the United States with the product of which they are most in need. We shall thus give aid and comfort to our enemies and contribute to the maintenance of that quasi-neutrality

<sup>1</sup> See Nicolay and Hay, vol. vi. p. 62. The following table shows the cotton movement at New Orleans:—

YEAR	RECEIPTS	TOTAL EXPORTS	Bales
			Bales
1859-1860	2,285,448	2,214,296	
1860-1861	1,849,312	1,915,852	
1861-1862	38,880	27,678	
1862-1863	22,078	23,750	
1863-1864	131,044	128,130	
1864-1865	271,015	192,351	

— HAMMOND, *The Cotton Industry*, p. 263.

<sup>2</sup> See vol. iii. pp. 551, 629.

which European nations have thought proper to avow.” They asked that the shipment of cotton to New Orleans might be prevented. Concurring in their views the Governor complied with their request and took stringent measures to prevent the landing of any cotton by boat or the receipt of any by railroad and the general commanding announced his intention of co-operating with the Governor in the enforcement of his policy.<sup>1</sup>

During the year 1862 a change of feeling in the Confederacy in regard to the disposition of cotton may be observed; it began to be deemed advantageous to exchange the staple for needed supplies. This sort of trade was eagerly welcomed by the Federal authorities; and a correspondence carried on at New Orleans after its occupation by Benjamin F. Butler (May 1, 1862) will show to what extent the Union authorities were willing to go. July 21, 1862, Butler, giving permission to make his letter public, wrote to Reverdy Johnson (who had been sent to New Orleans by the President as a special commissioner of the State Department for a purpose not connected with this trade<sup>2</sup>): “I will assure safe-conduct, open market, and prompt shipment of all cotton and sugar sent to New Orleans, and the owner were he Slidell himself, should have the pay for his cotton if sent here under this assurance.”<sup>3</sup> Johnson was glad to have this assurance as he was impressed with the importance to the United States and Europe of having the commerce of New Orleans restored. One week later Butler told Johnson that an English gentleman engaged in the cotton trade in Mobile (then in the possession of the Confederates) had proposed to send cotton from Mobile to him at New Orleans in exchange for salt and other merchandise “not contraband of war provided a pledge shall be given that the cotton shall

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<sup>1</sup> O. R., ser. iii. vol. ii. p. 725 *et seq.*; ser. i. vol. xv. p. 541.

<sup>2</sup> *Ibid.*, ser. iii. vol. ii. p. 115.

<sup>3</sup> *Ibid.*, p. 239.

be shipped to England."<sup>1</sup> Johnson thus replied: "The proposal of the English gentlemen I think you should not hesitate to accept. The shipment of cotton whether to Europe or to the loyal States from the rebellious States, from such of their ports as are in the possession of our forces is, I know, much desired by our Government. It was one of the principal advantages they expected to be the immediate results of the capture of this city. So anxious are they to attain the object that I am satisfied they would readily sanction such an arrangement as your note mentions."<sup>2</sup> The same day Butler wrote to the Confederate commanding officer of the forces at Mobile: "I have been informed by Mr. J. Maury, a British subject, that he has cotton within your lines which he is desirous of getting out and bringing here if the same can be done. That you are willing it should come as the property of a neutral if the cotton will not be seized by the United States forces and it can be sent to England. For this purpose he is desirous of shipping to your port salt as an equivalent for the shipment of cotton. I have pledged, therefore, to him that I will permit him to be returned to Mobile a sack of salt for every bale of cotton that he shall bring here. The commercial values of the two articles to be regulated by the parties owning them, that the cotton may be shipped from this port to England and that no seizure or confiscation shall be made of the cotton or salt or any part thereof, and the vessel containing the same shall have safe-conduct to return. Other goods not contraband of war may be sent to equalize the commercial values."<sup>3</sup> October 22 Butler forwarded to Secretary Chase a copy of this letter and said: "That communication has since been forwarded to Richmond, and formally sanctioned by the appointment of commissioners

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<sup>1</sup> July 28, 1862, O. R., ser. iii. vol. ii. p. 264.

<sup>2</sup> July 29, 1862, *ibid.*, p. 284.

<sup>3</sup> July 29, 1862, War Department Archives, Washington.

by the Confederate Government. Shall I get out the cotton upon the basis proposed? Of course I shall let all cotton come out under the arrangement which may offer before I may hear from the Government."<sup>1</sup> The Official Records do not disclose any instructions that may have been sent to him but the general attitude of our government makes it certain that no objection to this policy came from Washington. Indeed it seems pretty clear that it was approved by the State Department.<sup>2</sup> The records of cotton exports from New Orleans and the general tenor of the correspondence show that no large amount was obtained in this way, but the letter of Butler to the Secretary of the Treasury of October 22, 1862 indicates that the obstacles to this trade were in the Confederacy and not in the Union. "As you are aware," he wrote, "from the time that I came here I have endeavored in every possible way to open trade in cotton through the rebel lines. I have supposed that this was consonant with the wish of the Government. Owing to the peculiar action of the Confederate authorities I have not been able as yet much to succeed. The difficulty has been, as I believe, not so much with the Confederate authorities as in the peculiar relation they find themselves with their people. They instructed and advised their people to burn their cotton, and those who did so will not now permit their more prudent neighbors to ship that which had not been destroyed at an enormous profit. These difficulties are gradually being smoothed over. I think now that the trade can be opened. . . . It is impossible to overrate the importance of this question of obtaining a supply of cotton to the Northern manufacturer, to say nothing of the effect upon European powers. . . . The day of cotton burning is past."<sup>3</sup> By order of the President dated November 9, 1862 Butler was relieved from the command of the De-

<sup>1</sup> O. R., vol. xv. p. 583.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid., pp. 582, 583.

partment of the Gulf which was turned over to Banks on the 15th December<sup>1</sup> but not until Butler had developed still another line of his policy for securing cotton from territory subject to the Confederate government. "I have every reason to believe," wrote Banks to Hal-leck, August 29, 1863, "that extensive arrangements had been made, in which prominent men in both Governments were interested, to obtain supplies of cotton by running it out of rebel ports and throwing it into the blockading squadron, then to be claimed by the parties owning it with the understanding that it was to be delivered to them."<sup>2</sup>

The strenuous efforts to get cotton from the South to Europe were not crowned with commensurate results. The receipts of cotton by Great Britain and the Continent from the United States were small<sup>3</sup> and practically all of it had run the blockade. The amount shipped from ports in the possession of the United States was insignificant as the exports from New Orleans to Liverpool and Havre demonstrate;<sup>4</sup> and the

<sup>1</sup> O. R., vol. xv. pp. 610, 611.

<sup>2</sup> Ibid., vol. xxvi. part i. p. 702. See case of West Florida, ibid., vol. xv. pp. 583, 591.

<sup>3</sup> This table will show this absolutely and relatively :—

YEAR	IMPORTED INTO GREAT BRITAIN		IMPORTED INTO THE CONTINENT	
	From United States	From Other Countries	From United States	From Other Countries
1860	Bales 2,580,700	Bales 785,000	Bales 971,000	Bales 100,000
1861	1,841,600	1,194,000		
1862	72,000	1,445,000	60,000	529,000
1863	182,000	1,932,000	36,000	801,000
1864	198,000	2,587,000	43,000	889,000
1865	462,000	2,755,000	68,000	1,170,000

— HAMMOND, p. 261; see Schwab, p. 238.

<sup>4</sup> Hammond, p. 263. Exports to Liverpool 1862-1864 inclusive, 4537 bales; to Havre, 6344.

quantity which got through the blockade was small in proportion to the supply. In August, 1862, the British consul in Charleston estimated the amount of cotton left over from the crops of 1860 and 1861 at 2,500,000 bales; 1,000,000 bales had been burned and only 50,000 bales of that which was shipped had escaped the blockade.<sup>1</sup> If the different statistics here presented approach accuracy the conclusion is inevitable that Europe obtained little American cotton during the war and although the cutting off of the large source of supply occasioned much distress it did not cause ruin to the cotton manufacturing regions. The hopes of the South and the fears of England that business would be irretrievably deranged were not realized.<sup>2</sup>

There was however a large overland trade between the South and the North, the South exchanging her cotton for money or needed supplies and this trade was encouraged by the Washington government. Halleck after he had become Lincoln's chief-of-staff wrote to Grant: "See that all possible facilities are afforded for getting out cotton. It is deemed important to get as much as we can into market."<sup>3</sup> The intention of the government was good and if the history of these transactions were to be written from the acts of Congress, the proclamations of the President, the instructions of the Secretary of the Treasury and the orders of the Secretaries of War and the Navy it might be affirmed that a difficult business had been managed well. Special agents were appointed by the Secretary of the Treasury to collect captured and abandoned property in parts of the Confederacy occupied by our forces which should be sold for the benefit of the United States subject to

<sup>1</sup> Hammond, p. 261. I can present no particular evidence to dispute this estimate of the amount of cotton burned. I feel, however, that it is too high.

<sup>2</sup> This question is discussed in an interesting manner by Charles Francis Adams, *Life of Adams*, p. 274.

<sup>3</sup> Aug. 2, 1862, O. R., vol. xvii. part ii. p. 150.

the rights of ownership of loyal persons. Permits to trade in districts which had been recovered from the Confederacy were issued to "proper and loyal persons" by these agents and other officers of the Treasury Department but all commercial intercourse beyond the lines of the National army was strictly forbidden. The special agents were ordered moreover to confer with the generals commanding departments and they and the authorized traders were in a measure responsible to the military authority but they were under the immediate control and management of the Secretary of the Treasury who directed this "limited commercial intercourse licensed by the President." No other trade was legal and all property coming into the United States through other means should be confiscated. Under the act of May 20, 1862 the Secretary of the Treasury had the power to prohibit the delivery of goods or merchandise to the "insurgents" and in his regulations he endeavoured to provide against giving such "aid or encouragement" to the enemy. The Secretaries of War and of the Navy forbade the officers of their respective services to have any interest in the purchase or sale of cotton or any other merchandise.

An order of Buell August 10, 1862 to the provost-marshall at Athens, Alabama illustrates the legitimate and necessary operations following the occupation of territory by the Union forces. "Allow the introduction and sale of goods not contraband in small quantities and for the usual demand of the town and neighborhood," he said. "No goods to be sold to cross the Tennessee river" (*i.e.* to go south of it).<sup>1</sup> In his report of December 10, 1863 Secretary Chase told frankly what had been his aim and gave a complacent account of this intercourse. "The subject is too vast and complicated," he wrote, "the appetite for trade is too eager

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<sup>1</sup> O. R., vol. xvi. part ii. p. 805.

and exacting and the impatience of all restraint, however salutary or necessary is too great, to allow any hope of avoiding many and sometimes just complaints. But the Secretary has kept steadily in view the plain duty prescribed by the law of preventing any supplies from being carried into districts controlled by rebels; the equally plain duty of allowing and securing so far as practicable, without intercourse with rebels, supplies of necessaries to the inhabitants of districts in which the rebellion has been suppressed; and the clear policy of supporting and facilitating the efforts of loyal citizens to obtain wherever obtainable, without going beyond the lines of national military occupation, cotton, sugar, tobacco, tar, rosin and such other products of the rebel States, for the benefit of loyal commerce. To this end he has selected persons of known intelligence and probity as supervising special agents, and through them others of like characters as assistant and local special agents, to exercise the necessary powers over intercourse, and has imposed, with the sanction of the President, and as conditions of license, such fees and contributions on the trade permitted, as were thought necessary to defray the cost of supervision, and add something to the means for the prosecution of the war. The agents of all grades have generally been diligent and faithful in the discharge of their several duties. A few of subordinate grade have proved incompetent or unworthy, and have been dismissed.”<sup>1</sup>

Memphis situated on the Mississippi River, the most important place commercially between St. Louis and New Orleans, a large cotton mart before the Civil War where the cotton was brought in from the surrounding country by railroad and wagon and reshipped on the river, was occupied by the Union forces June 6, 1862: it is an excellent point at which to study this

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<sup>1</sup> *Globe*, 1863-1864, App. p. 9.

abnormal traffic, which was so difficult to regulate. Some of the trade with persons living in Confederate territory which was against the letter of the law was innocent and desirable. William T. Sherman who was the commander at Memphis and who had sane ideas regarding this commercial intercourse with the South, as will appear later, wrote to Grant October 4, 1862: "Yesterday 40 wagons with farmers came in, each with a bale of cotton; the guerillas tried to stop them with threats, but were told that their families were suffering for salt and tea and medicines, shoes, clothing, etc., all of which were abundant in Memphis. When threatened, the guerillas were told to destroy this cotton, they would have to fight, and they let it pass. Now this may or may not be true; but the bearing of the farmers, their plain, simple story impressed me, and I relaxed the usual rules of trade and allowed them to carry back clothing and necessities for their families."<sup>1</sup> Five days later he made a more general statement concerning this intercourse. "A great deal of cotton has come in of late in small parcels," he wrote, "in single bales, etc., amounting in the aggregate to over a thousand bales, and I have somewhat relaxed the rules as to internal trade. Farmers have come in gangs, representing their determination to fight guerillas and carry out to their suffering families the clothing and groceries necessary to their existence. I have no doubt this is in the main true. Though in some cases the privilege has been and will be abused, I think it good policy to encourage it, that the farmers and property holders may realize their dependence on other parts of our country, and also realize that a state of war long continued will reduce them to a state of absolute ruin."<sup>2</sup>

The citations from Chase's report and Sherman's letters present a good side to this traffic. But another

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<sup>1</sup> O. R., vol. xvii. part ii. p. 261.

<sup>2</sup> Ibid., p. 273.

aspect of it must be considered. "The commercial enterprise of the Jews," wrote General Sherman to Secretary Chase from Memphis August 11, 1862, "soon discovered that ten cents would buy a pound of cotton behind our army; that four cents would take it to Boston, where they could receive thirty cents in gold. The bait was too tempting, and it spread like fire, when here they discovered that salt, bacon, powder, firearms, percussion-caps, etc., etc., were worth as much as gold; and, strange to say, this traffic was not only permitted but encouraged. Before we in the interior could know it, hundreds, yea thousands of barrels of salt and millions of dollars had been disbursed, and I have no doubt that Bragg's army at Tupelo, and Van Dorn's at Vicksburg, received enough salt to make bacon, without which they could not have moved their armies in mass; and that from ten to twenty thousand fresh arms, and a due supply of cartridges have also been got, I am equally satisfied."<sup>1</sup> Some of the Treasury agents were dishonest. Chase endeavoured to secure upright men and some who had a good reputation when appointed could not withstand the temptations at the front and took bribes from the traders. A lawyer of high standing in his community who had filled a judicial office with credit, was appointed to an agency on the Mississippi River and received corruptly in a period of ninety days about seventeen thousand dollars; he was found out and dismissed by the Secretary.<sup>2</sup> Buell withdrew the permit of a trader because he had attempted to bribe an army officer.<sup>3</sup> An order of his seems to imply that the carrying away of cotton interfered with the transportation of supplies for the army.<sup>4</sup> General McClernand was advised from Bolivar, Tennessee that "the cotton speculators are quite clamorous for

<sup>1</sup> Sherman's Memoirs, vol. i. p. 267.      <sup>2</sup> Schuckers's Chase, pp. 328, 329.

<sup>3</sup> June 25, 1862, O. R., vol. xvi. part ii. p. 66.

<sup>4</sup> June 30, 1862, *ibid.*, p. 80.

aid in getting their cotton away . . . and offer to pay liberally for the service.”<sup>1</sup> In Louisiana a citizen was sent beyond the limits of the military district “for offering a bribe to the general commanding to confirm him in the possession of a certain lot of cotton.”<sup>2</sup> From a despatch of Halleck to Grant and to Buell it appears that the purchase of cotton had been participated in by officers and men in the military service.<sup>3</sup> Rosecrans had a report of “a brisk trade in salt and other contraband goods going on from Pittsburg south.”<sup>4</sup> “I have approved the arrest of the Captain and seizure of the steamboat *Saline* for carrying salt down the river without permit and changing it off for cotton,” wrote Sherman to Grant from Memphis August 17, 1862. “This nefarious practice” should be stopped. “What use in carrying on war while our people are supplying arms and the sinews of war?”<sup>5</sup>

In July and August, 1862 Grant and Buell in their respective departments had forbidden the payment of gold and silver for cotton and enjoined the use of United States Treasury notes.<sup>6</sup> So great however was the desire of the government to procure cotton that by direction of the Secretary of War Halleck sent word August 2, 1862 that “the payment of gold should not be prohibited.”<sup>7</sup> “This cotton order is worse to us than a defeat,” Sherman wrote to the adjutant-general of the army. “The country will swarm with dishonest Jews who will smuggle powder, pistols, percussion-caps, etc., in spite of all the guards and precautions we can give. Honest men can buy all the cotton accessible

<sup>1</sup> July 25, 1862, O. R., vol. xvii. part ii. p. 120.

<sup>2</sup> Dec. 17, 1863, ibid., vol. xxvi. part i. p. 864.

<sup>3</sup> Aug. 25, 1862, ibid., vol. xvii. part ii. p. 185; see also ser. iii. vol. ii. p. 460.

<sup>4</sup> Aug. 2, 1862, ibid., vol. xvii. part ii. p. 151.

<sup>5</sup> Ibid., p. 178.

<sup>6</sup> July 25, Aug. 7, 1862, ibid., p. 123; vol. xvi. part ii. p. 284.

<sup>7</sup> Ibid., vol. xvii. part ii. p. 150.

to us with Tennessee bank-notes.”<sup>1</sup> He also argued to Secretary Chase that “money will buy anything for sale at St. Louis and Cincinnati and I declare it impossible to keep such articles be they salt, powder, lead or anything from reaching the South. Also gold will purchase arms and ammunition at Nassau and you know that one vessel out of three can run the blockade.”<sup>2</sup> Halleck justified the order. The policy of the government he said is to get cotton in exchange for either gold or Treasury notes; this had been publicly announced by General Butler in New Orleans and the rule must be uniform. The manufacturers cannot furnish tents for the new levies until they obtain more cotton; “hence the absolute necessity of encouraging that trade just now.”<sup>3</sup>

Large experience did not alter Sherman’s view. “My own opinion is,” he wrote to Grant from Memphis October 9, 1862, “that all trade should be absolutely prohibited to all districts until the military commander notifies the Government that the rebellion is suppressed in that district, for we know, whatever restraint is imposed on steamboats that clerks and hands do smuggle everything by which they can make profit. The great profit now made is converting everybody into rascals and it makes me ashamed of my countrymen every time I have to examine a cotton or horse case. I have no doubt that our cause suffers from the fact that not only horses and cotton are bought of negroes and thieves under fabricated bills of sale, but that the reputations of even military men become involved. Still, as the Treasury authorities think it proper to allow trade and encourage the buying of cotton it is my duty not to interpose any obstacle.

<sup>1</sup> Aug. 11, 1862, O. R., ser. iii. vol. ii. p. 350.

<sup>2</sup> Ibid., p. 349; see also Sherman to Grant, p. 350, and to Rawlins, *ibid.*, vol. xvii. part ii. pp. 140, 171.

<sup>3</sup> Aug. 25, *ibid.*, p. 186.

Whenever I do detect fraud I punish it to the fullest extent ; and we have made large and valuable prizes all of which I see go to the use of the United States.”<sup>1</sup>

The experience of many military men confirmed the view of Sherman. Grant was bothered by the Jews and thought that all traders were “a curse to the army.”<sup>2</sup> General Quinby reported to Grant from Moscow (Tenn.), that “the people are taking cotton in large quantities to Memphis and bringing back all sorts of commodities, contraband and otherwise.”<sup>3</sup> Colonel Norton wrote from Holly Springs (Miss.), “I arrested four teams loaded with cotton coming through my picket lines from the South.”<sup>4</sup> To his superior officer General Hovey who commanded an expedition into the State of Mississippi reported : “Unprincipled sharpers and Jews are supplying the enemy with all they want. Our forces penetrated ninety miles into the very heart of Mississippi and everywhere we were met with boots, shoes, clothing and goods purchased by open and avowed rebels at Delta and Friar’s Point. The Yankees are deluging the country with contraband goods, and letters intercepted from the army show from whence they are receiving their supplies. War and commerce with the same people ! What a Utopian dream !”<sup>5</sup> General Brayman declared that partisan rangers stole cotton from the citizens, sold it in Memphis and with the proceeds purchased and brought out sabres, pistols, carbines and powder.<sup>6</sup>

Evidences of trade contrary to the statutes, the regulations of the Secretary of the Treasury and the orders

<sup>1</sup> O. R., vol. xvii. part ii. p. 273.

<sup>2</sup> Dec. 17, 1862, *ibid.*, p. 422. See also pp. 330, 335, 337, 349, 424, 506 ; his orders for the encouragement of the trade, pp. 354, 396, 400.

<sup>3</sup> Nov. 18, 1862, *ibid.*, p. 353.

<sup>4</sup> Dec. 16, *ibid.*, p. 417.

<sup>5</sup> Dec. 5, 1862, *ibid.*, vol. xvii. part i. p. 532.

<sup>6</sup> Dec. 31, *ibid.*, part i. p. 482. An interesting account of how the trade was carried on between Confederate territory and Memphis may be found in *ibid.*, vol. xxiv. part iii. p. 177.

of the commanding generals are scattered through the Official Records.<sup>1</sup> As has been clearly shown cotton was the bait to the Northerner. Powder, arms, salt, quinine, morphia, and other medicines, whiskey, food and clothing were the allurements to the Confederate. The worst phase of the trade was that some of the military officers became mixed up in the speculations. General Hurlbut spoke of the "terrible smuggling" at Memphis. "The effects of it," he added, are "perfectly demoralizing; bribery and corruption seem to go into every branch of the service."<sup>2</sup> General Quinby from Helena (Ark.) reported an attempt to defraud the government in a cotton speculation "in which at least one officer of the army" was implicated.<sup>3</sup> Grant in a letter to Admiral Porter manifests a suspicion that some military commanders had been engaged in private speculations.<sup>4</sup> Charles A. Dana wrote to Stanton from Memphis, January 21, 1863: "The mania for sudden fortunes made in cotton, raging in a vast population of Jews and Yankees scattered throughout this whole country, and in this town almost exceeding the numbers of the regular residents, has to an alarming extent corrupted and demoralized the army. Every colonel, captain or quartermaster is in secret partnership with some operator in cotton; every soldier dreams of adding a bale of cotton to his monthly pay. I had no conception of the extent of this evil until I came and saw for myself. Besides, the resources of the rebels are inordinately increased from this source. Plenty of cotton is brought in from beyond our lines, especially

<sup>1</sup> In addition to what has been cited see O. R., vol. xxii. part i. p. 838; part ii. pp. 15, 21, 79, 99, 287, 388, 443, 574, 672, 679, 714, 757; vol. xxiv. part iii. pp. 3, 30, 41, 49, 69, 76, 118, 128, 412, 468, 514, 631; vol. lii. part ii. p. 302; ser. iii. vol. ii. pp. 453, 454; vol. iii. pp. 116, 121, 188, 230, 896, 1174. A few of these refer to legitimate trade and orders regulating it.

<sup>2</sup> Feb. 20, 1863, *ibid.*, vol. xxii. part i. p. 230.

<sup>3</sup> April 15, 1863, *ibid.*, vol. xxiv. part iii. p. 195.

<sup>4</sup> Feb. 15, 1863, *ibid.*, p. 55.

by the agency of Jewish traders, who pay for it ostensibly in Treasury notes, but really in gold."<sup>1</sup>

Sixteen days after receiving the surrender of Vicksburg Grant gave Secretary Chase his opinion of the policy of the government. "My experience in West Tennessee," he wrote, "has convinced me that any trade whatever with the rebellious States is weakening to us of at least thirty-three per cent. of our force. No matter what the restriction thrown around trade, if any whatever is allowed it will be made the means of supplying to the enemy all they want. Restrictions, if lived up to, make trade unprofitable and hence none but dishonest men go into it. I will venture that no honest man has made money in West Tennessee in the last year, whilst many fortunes have been made there during the time."<sup>2</sup> On the same day he wrote to General Sherman: "I am very much opposed to any trade whatever until the rebellion in this part of the country is entirely crushed out. Secretary Chase differs however, and the special agent of the Treasury is now on the way here to arrange this matter."<sup>3</sup>

The feverish business conditions of 1864 and the relaxation in morality were felt in the commercial intercourse between the South and the North. The price of cotton in Boston at the beginning of the year was eighty-one cents per pound; it advanced steadily until the close of August when it fetched \$1.90 in United States currency.<sup>4</sup> It could be bought in the Confederacy for from twelve to twenty cents per pound in gold. The enormous difference between the two values was a profit so enticing that many men in responsible positions were

<sup>1</sup> O. R., vol. lii. part i. p. 331. In a postscript Dana wrote that General Grant agreed with him in his statements "except that imputing corruption to every officer which of course I did not intend to be taken literally." For the cotton trade at Nashville after its occupation by the Union troops, see Appleton's Annual Cyclopædia, 1862, p. 765.

<sup>2</sup> July 21, 1863, O. R., part iii. vol. xxiv. p. 538.

<sup>3</sup> Ibid., p. 539.

<sup>4</sup> Report of Boston Board of Trade, 1865, p. 67, cf. p. 117.

led into trading beyond the restrictions imposed by the government. General C. C. Washburn, then the commanding general at Memphis, was of the opinion that the "wretched system" of trade had contributed much "toward prolonging the war" and on May 10, 1864 he made this official statement of the facts: "The practical operation of commercial intercourse from this city with the States in rebellion has been to help largely to feed, clothe, arm and equip our enemies. Memphis has been of more value to the Southern Confederacy since it fell into Federal hands than Nassau [in the Bahama Islands the principal port at which the blockade-runners transhipped their cotton and loaded supplies for the Confederacy]. To take cotton belonging to the rebel Government to Nassau, or any foreign port is a hazardous proceeding. To take it to Memphis and convert it into supplies and greenbacks and return to the lines of the enemy, or place the proceeds to the credit of the rebel Government in Europe, without passing again into rebel lines is safe and easy. I have undoubted evidence that large amounts of cotton have been and are being brought here to be sold, belonging to the rebel Government. The past and present system of trade has given strength to the rebel army while it has demoralized and weakened our own. It has invited the enemy to hover around Memphis as his best base of supply, when otherwise he would have abandoned the country. It renders of practical non-effect the blockade upon the ocean, which has cost, and is costing, so many millions. It opens our lines to the spies of the enemy, and renders it next to impossible to execute any military plan without its becoming known to him long enough in advance for him to prepare for it. The facts here stated are known to every intelligent man in Memphis. What is the remedy for these great and overwhelming evils? Experience shows that there can be but one remedy, and that is total prohibition of all commercial inter-

course with the States in rebellion.”<sup>1</sup> General Washburn then ordered that after May 15 no person should be permitted to leave Memphis except by river without a special pass from his headquarters. He followed up this order by another stringent one directed against the trading by boats on the Mississippi River.<sup>2</sup> Admiral David D. Porter who commanded the Mississippi squadron displayed an earnest co-operation with the policy adopted by General Washburn to stop “the illicit trade on the Mississippi River, which has so long been tolerated and fostered by officers commanding military posts and Treasury agents, and by which the war on the border of the Mississippi River has been much prolonged. I agree fully,” he added, “with General Washburn, in all he says, and am glad to see that at last there may be some hopes of destroying the system of trade with the rebels, which, if continued, this war must be carried on indefinitely.”<sup>3</sup> General Daniel E. Sickles who had been sent by the President on a tour “for observation and information”<sup>4</sup> wrote to him from Memphis May 31, 1864: “At Memphis, before the recent suspension of trade by General Washburn, goods to the amount of half a million a week went through our lines, sold for currency or exchanged for cotton. Boats loaded with supplies have had almost unrestricted opportunities for trade on the Mississippi, and some of its navigable tributaries, stopping anywhere along the river and dealing with anybody. It is intimated that Memphis has heretofore been so reliable and constant a source of rebel supplies as to secure for it a comparative exemption from attack by the enemy. I give you in these statements a summary of what I have learned from loyal citizens of high character and officers of the naval and military service. Admiral Porter, Commander Pattison, com-

<sup>1</sup> O. R., vol. xxxix. part ii. p. 22.

<sup>2</sup> Ibid., p. 27.

<sup>3</sup> May 31, 1864, *ibid.*, vol. xxxix. part ii. p. 61.

<sup>4</sup> Lincoln, Complete Works, vol. ii. p. 482.

manding officers in the armies of the Tennessee and Cumberland, Generals Washburn, Prince and others on the Mississippi bear concurrent testimony to the same effect. The orders issued recently by General Washburn will arrest the evil in his district, but to be effectual the policy should be general, and not dependent upon the initiative of the local commander. I would respectfully recommend that all trade with persons beyond our lines be interdicted and that commanding officers of squadrons and military districts be held responsible for the enforcement of the prohibition. . . . The effect upon our army and navy cannot be otherwise than injurious when they see a vast trade carried on with our enemies. This intercourse enriches a mercenary horde, who follow in the rear of our forces, corrupting by the worst temptations those in authority, giving aid and comfort to the enemy, and relieving that extreme destitution of the insurgent population which would otherwise operate as a powerful inducement toward the restoration of tranquillity and order.”<sup>1</sup> General Halleck wrote to Grant June 22, 1864: “Reports to staff departments indicate stupendous frauds in General Banks’s command at Vicksburg and on the Mississippi River generally.”<sup>2</sup>

For some reason General Washburn felt the need of support, and telegraphed July 11, 1864 from Memphis to the Secretary of War: “Do you sanction my orders in regard to excluding supplies from traitors and preventing them from bringing in and selling cotton? If so, I hope that the gunboats may not be allowed to order transports to and at unoccupied points on the river and take up cotton purchased of traitors, as they are doing. I have ordered that no transport shall land except to wood between the mouth of White River and Cairo except at a military post. Shall that order be enforced, or shall cotton thieves and speculators, whether

<sup>1</sup> O. R., vol. xxxix. part ii. pp. 60, 61.

<sup>2</sup> Ibid., vol. xxxviii. part i. p. 660.

in or out of the Army and Navy, be allowed to abuse our patience?"<sup>1</sup> Stanton replied six days later: "Your telegram . . . was submitted to the President for his instructions. The Secretary of the Treasury being absent, the President has delayed giving any instructions until he returns, so that there can be a full consideration of the subject. Mr. Fessenden is daily expected and the conclusion of the President will be communicated to you at the earliest moment. Your orders accord with my own judgment, but the matter must abide the President's determination."<sup>2</sup> A thorough search through the printed Official Records and the archives in the War Department fails to disclose any further answer to General Washburn's pressing inquiry.<sup>3</sup> His action may have had some effect for a limited time in a limited district but generally speaking the trade continued as before;<sup>4</sup> and the lack of support from Washington must have mitigated his own zeal.<sup>5</sup>

<sup>1</sup> O. R., vol. xxxix. part ii. p. 170.

<sup>2</sup> Ibid., pp. 177, 178.

<sup>3</sup> For this search I am indebted to Brigadier-General Ainsworth, Chief, Record and Pension Office, War Department.

<sup>4</sup> An exception will be mentioned later.

<sup>5</sup> References to this trade which have been only generally used are: O. R., vol. xxvi. part i. pp. 503, 598, 647, 864; vol. xxx. part iii. pp. 19, 662; vol. xxxii. part i. pp. 178, 320, 512; part ii. pp. 98, 192, 217, 261, 405, 418, 427, 457, 478; part iii. pp. 25, 36, 50, 150; vol. xxxiv. part i. p. 213; part ii. pp. 8, 17, 218, 275, 277, 404, 434, 435, 796; part iii. pp. 12, 18, 56, 57, 72, 101, 185, 269, 317, 360, 573, 681; part iv. pp. 410, 455; vol. xxxviii. part iv. p. 481; part v. pp. 505, 547, 647; vol. xxxix. part ii. pp. 26, 30, 34, 266, 314; vol. xli. part i. p. 72; part ii. pp. 196, 328, 459, 534, 605, 710; part iii. pp. 103, 132, 150, 264, 281; part iv. pp. 127, 246, 549, 614, 629, 663, 676, 691, 695, 724, 743, 752, 805, 957, 964; series iii. vol. iv. p. 68. Gilchrist a colonel of African descent gave an account March 9, 1864 of an expedition from Vicksburg which he concludes thus: "To sum up, we marched 250 miles, injured our transportation exposed our lives, got but few recruits and as far as ending the war is concerned, we did just nothing at all; but, if anything, served to prolong it by assisting a lot of rebels and thieves to sell and get to market about 1515 bales of private, C. S. A., and abandoned cotton, and a lot of speculators, whose loyalty I very much suspect, in making fortunes. I had told my officers and men that we had made for the United States about \$200,000, but from the conversation I had with John A. McDowell, assistant Treasury agent I have come to the conclusion that we have not assisted

In the meanwhile Congress was grappling with the subject and the debate in the Senate during June, 1864 is evidence that the evils of the business were understood at Washington. It was conceded that the trade had reached proportions not intended by the legislation of Congress, that the exception provided for by the act of July 13, 1861 had become the rule,<sup>1</sup> that the Treasury agents in the Southern States had committed frauds and that officers of the army and navy had been improperly engaged in trade. Collamer pointed out the absurdity of commerce and war with the same people at the same time and asserted that if we continued to furnish the enemy supplies which enabled him the better to fight us the war would never end. Ten Eyck a Republican and a member of the Committee on Commerce from which the bill under consideration had been reported, declared that if the evidence taken by his committee were known publicly "the cheeks of every Ameri-

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in putting one cent into the U. S. Treasury." — O. R., vol. xxxii. part i. p. 400. General Brayman wrote from Cairo April 2, 1864: "The loose administration of Treasury regulations, the complicity of both Treasury and Army officers have given free course to this infamous traffic." — Ibid., part iii. p. 233. During his Chattanooga-Atlanta campaign General Sherman wrote June 15, 1864: "I never knew a cotton dealer, male or female, but what would falsify." — Ibid., vol. xxxviii. part iv. p. 481. Sept. 3, 1864 he wrote to General Slocum: "There can be no trade or commerce now until the war is over. . . . All cotton is tainted with treason and no title in it will be respected." — Ibid., part v. p. 778. July 19, 1864 General N. J. T. Dana wrote from Natchez: "That the enemy have been freely supplied through our lines on the Mississippi River is notorious and thereby great opportunities have been afforded to treacherous persons for fraud or corruption." — Ibid., vol. xxxix. part ii. p. 196. Nov. 19, 1864 General J. J. Reynolds wrote from Mouth of White River, Arkansas: "Thirty days of such a system of supply will undo the work of a year in suppressing the rebellion." — Ibid., vol. xli. part iv. p. 612. I have noted two Confederate authorities which support the statement in the text. General N. B. Forrest speaking of the commercial intercourse with Memphis wrote from Corinth, Mississippi, Oct. 18, 1864: "Since my absence I am informed the trade has been again opened and is now going on on an extensive scale." — Ibid., vol. xxxi. part iii. p. 830; see also p. 899.

<sup>1</sup> This act said that commercial intercourse shall cease and be unlawful unless licensed and permitted by the President.

can senator" would "tingle with shame"; that in some quarters the object of the armies seemed to be rather "to procure the productions of the Southern country than to strike down the rebels," and that the trade on the Mississippi River had debauched the Treasury agents and the officers of the army and the navy. Henderson of Missouri admitted that great frauds had been committed by the Treasury agents but maintained that neither the President nor the Secretary of the Treasury was to blame. The temptations were great; men were able to make a fortune almost every day; undoubtedly many had gone South believing themselves to be honest men but enticed by the easy opportunity had become partners in fraud and corruption. Nevertheless to forbid the trade entirely would cause great suffering; it would for instance starve a large number of people in Tennessee. Either the government must feed these persons who have had all their provisions taken from them by our advancing armies or a restricted trade must be opened up so that they can exchange their cotton for something to eat. Morrill of Maine who had charge of the bill said that the Committee on Commerce had balanced between the idea of absolute prohibition of the trade and that of restricting it further. The policy of restriction won but the act approved July 2, 1864 was more stringent than the preceding ones: it was in fact a well-devised legislative plan for correcting the existing ills.<sup>1</sup>

General E. R. S. Canby who commanded the military division of West Mississippi with headquarters at New Orleans thought that the restrictions of this law had been useful; they had "reduced the rebel armies east and west of the river, and greatly straightened them for supplies essential to their existence. Kirby Smith," he

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<sup>1</sup> The debate referred to took place June 9 and 28, 1864, *Globe*, pp. 2820 *et seq.*, 3323 *et seq.* The newspapers were discussing the subject. See *New York World*, June 15, 1864 with citation from *Chicago Tribune*.

continued, "has officially announced that he can no longer supply his army with clothing and every rebel paper coming from west of the Mississippi contains appeals to the families and friends of soldiers to contribute clothing. The last Alexandria paper contains a proclamation by the rebel Governor, appealing to the people of Louisiana to furnish clothing to the suffering and destitute soldiers of Missouri."<sup>1</sup> But Canby thought that the executive order and the Treasury regulations of September 24, 1864 issued under the permissive provisions of the act would have the effect of reopening, the trade and embarrassing military operations.<sup>2</sup> "If this trade," he wrote, "is carried on in the manner and to the extent claimed by the speculators who now control it, its inevitable result, in my judgment, will be to add strength and efficiency to the rebel armies east and west of the Mississippi equivalent to an addition of 50,000 men, and will stimulate into active opposition to the successful prosecution of our operations at least 10,000 men within our own lines. . . . The rebel armies, east and west of the Mississippi have been supported mainly during the past twelve months by the unlawful trade carried on on the river. The city of New Orleans, since its occupation by our forces, has contributed more to the support of the rebel armies, more to the purchasing and equipment of privateers that are preying upon our commerce, and more to maintain the credit of the rebel Government in Europe than any other port in the country with the single exception of Wilmington [the most important port for the blockade-

<sup>1</sup> Dec. 7, 1864, O. R., vol. xli. part iv. p. 786.

<sup>2</sup> This executive order which Canby saw only "some days" before Dec. 7, 1864 is printed *ibid.*, vol. xli. part iv. p. 787, also Lincoln, Complete Works, vol. ii. p. 579, and in Finance Report, 1864, p. 348. Here is printed also Secretary Fessenden's regulations of Sept. 24, 1864 (p. 345) as also the earlier ones of July 30 (p. 294). The order of the War Department, Oct. 6, 1864, enjoining compliance with the executive order is printed O. R., vol. xli. part iv. p. 788.

runners]. I do not make these statements as conjecture, but from evidence that will prove conclusive to any impartial mind.”<sup>1</sup>

Canby’s letter could not have reached Washington when Lincoln December 12, 1864 wrote to this general his frank exposition of the policy of the government. “As to cotton,” he said, “by the external blockade, the price is made certainly six times as great as it was. And yet the enemy gets through at least one-sixth part as much in a given period, say a year, as if there were no blockade, and receives as much for it as he would for a full crop in time of peace. The effect, in substance, is, that we give him six ordinary crops without the trouble of producing any but the first; and at the same time leave his fields and his laborers free to produce provisions. You know how this keeps up his armies at home and procures supplies from abroad. For other reasons we cannot give up the blockade, and hence it becomes immensely important to us to get the cotton away from him. Better give him guns for it than let him, as now, get both guns and ammunition for it. But even this only presents part of the public interest to get out cotton. Our finances are greatly involved in the matter. The way cotton goes now carries so much gold out of the country as to leave us paper currency only, and that so far depreciated as that for every hard dollar’s worth of supplies we obtain, we contract to pay two and a half hard dollars hereafter. This is much to be regretted; and while I believe we can live through it, at all events it demands an earnest effort on the part of all to correct it. And if pecuniary greed can be made to aid us in such effort, let us be thankful that so much good can be got out of pecuniary greed.”<sup>2</sup>

<sup>1</sup> Dec. 7, 1864, O. R., vol. xli. part iv. p. 786. The slight possible inconsistency in these two citations comes from the conditions of my narrative obliging me to quote them in their inverse order. Canby’s letter as a whole hangs together well.

<sup>2</sup> Lincoln, Complete Works, vol. ii. p. 616; on Lincoln’s anxiety to get cotton in the autumn of 1864, see O. R., vol. xli. part iv. p. 614.

"I hope," wrote General Sherman from Savannah January 19, 1865, "the Government will not manifest too much anxiety to obtain cotton in large quantities, and especially that the President will not indorse the contracts for the purchase of large quantities of cotton. Several contracts involving from 6000 to 10,000 bales, indorsed by Mr. Lincoln, have been shown me, but were not in such a form as to amount to an order for me to facilitate their execution."<sup>1</sup>

We have now to consider the amount of this overland cotton trade and its material results. The consumption of cotton in the United States which excepting the year 1861 denotes the consumption at the North and which was practically confined to New England and the Middle States was for the five years ending August 31:—

1861 . . . .	844,000 bales	1864 . . . .	220,000 bales
1862 . . . .	370,000 bales	1865 . . . .	345,000 bales <sup>2</sup>
1863 . . . .	288,000 bales		

The cotton consumed for the year ending August 31, 1861 was brought North before the war began. The consumption for 1862, 1863, 1864 and for two-thirds of 1865 (as freedom of trade was restored in May, 1865)

<sup>1</sup> O. R., vol. xlvii. part ii. p. 88. It will be remembered that when Sherman occupied Savannah he got possession of about 25,000 bales of cotton. Other interesting references to this subject are: O. R., vol. xlvii. part ii. pp. 5, 37, 50, 53, 642, 775, 967; part iii. pp. 52, 482, 484, 503, 602, 649; vol. xlviii. part i. pp. 400, 553, 727, 1267; vol. xlix. part i. p. 621; part ii. pp. 739, 930.

<sup>2</sup> Hammond, Appendix I. The statistics of manufacture for the year ending June 1, 1860, from the census are:—

	NO. OF FACTORIES	CAPITAL INVESTED	POUNDS OF COTTON USED
New England States	472	\$71,107,325	244,695,454
Middle States (N.Y., Pa., N.J., Del., Md., D.C.)	281	18,357,219	76,055,666

was 1,108,000 bales. This was provided from the stock on hand (which was large as the cotton manufacturers bought liberally in 1860 and the first months of 1861), from imports of foreign cotton, receipts from New Orleans and other Southern ports occupied by Northern forces, from captures of blockade-runners and cotton which had successfully run the blockade. After making allowance for the supply from all these sources a large residue remains which must have come from the overland trade, the Mississippi and Ohio rivers and connecting railroads furnishing the means of the inland transportation of the cotton to the North. If accurate statistics could be obtained of this trade it would surprise no student of the subject to find that the North received more cotton from the internal commerce than did Great Britain from the blockade-runners.<sup>1</sup> The evidence which I have presented from the Official Records indicates certainly that the larger portion of this came from a region of country under the control of the Southern Confederacy for which the Southern army and people obtained needed supplies. This trade was a greater advantage to the South than to the North. New England and the Middle States obtained cotton and probably ran their mills nearer to full time than if they had been dependent entirely on the foreign article but the still further curtailed manufacture would have caused no distress to their operatives. So extended was the demand for labour that they found work readily in other industries. In Lowell where in 1862 the stoppage of spindles was proportionately the greatest the deposit in the savings-banks largely increased during that year.<sup>2</sup> For the indispensable articles Indian cotton could have

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<sup>1</sup> I have studied the statistics in Com. and Nav. Reports, 1862-1865; *Hunt's Merchant's Magazine*, vols. I., III., IIII.; Appleton's Annual Cyclopædia, 1862-1864; Boston Board of Trade Reports, 1862-1864. Blockade-running is discussed in the next chapter, and certain statistics are given.

<sup>2</sup> Edward L. Atkinson, Boston Board of Trade Report, 1863, p. 98.

been used as it was in Great Britain and for other cotton fabrics woollen might have been substituted. On the other hand the South obtained salt, quinine, powder, and arms, absolute necessities for the carrying on of the war.<sup>1</sup>

It is not the acts of Congress which deserve criticism ; it is the administration of them by the President and Secretary of the Treasury, neither of whom had the business ability requisite to direct so intricate a traffic. Lincoln allowed things to drift without adopting a drastic remedy, although he appreciated the evils. "Few things are so troublesome to the government," he wrote in a private letter June 29, 1863, "as the fierceness with which the profits in trading are sought. The temptation is so great that nearly everybody wishes to be in it ; and, when in, the question of profit controls all, regardless of whether the cotton seller is loyal or rebel, or whether he is paid in corn-meal or gunpowder. The officers of the army, in numerous instances, are believed to connive and share the profits, and thus the army itself is diverted from fighting the rebels to speculating in cotton, and steamboats and wagons in the pay of the government are set to gathering and carrying cotton and the soldiers to loading cotton-trains and guarding them. The matter deeply affects the Treasury and War Departments and has been discussed again and again in the cabinet."<sup>2</sup> Chase was a poor judge of men and made bad appointments. Fessenden would probably have managed the business better than Chase had he been Secretary of the Treasury from the beginning but when he accepted the appointment he took upon himself a heavy burden to which he was not physically equal.

<sup>1</sup> The Committee on Commerce of both Houses of Congress acting as a joint committee reported March 1, 1865 that the trade had "been of no real benefit to our government. . . . It has tended to the demoralization and corruption of the army and navy. . . . It is believed to have led to the prolongation of the war." — House Report No. 24, 38th Cong. 2d Sess. p. 2.

<sup>2</sup> Lincoln, Complete Works, vol. ii. p. 358.

There is no question what the policy of the government should have been after Grant had showed the stuff he was made of by the campaign of Vicksburg and after his letter to Chase of July 21, 1863 which has been quoted. The whole business of commercial intercourse in the West and Southwest should have been put into his and Sherman's hands with absolute authority. "I have always believed," wrote Grant February 13, 1865, "that entire non-intercourse with 'people in rebellion' would prove the most speedy way to bring about a permanent peace. This view has been expressed by me officially over and over again."<sup>1</sup> If the blockade was a sound principle (and few things during the war were better justified by results) Grant was supremely right. Sherman was of the same mind. "As to Treasury trade agents," he wrote from Savannah January 19, 1865, "and agents to take charge of confiscated and abandoned property, whose salaries depend upon their fees, I can only say, that as a general rule they are mischievous and disturbing elements to a military government. And it is almost impossible for us to study the law and regulations so as to understand fully their powers and duties. I rather think the Quartermaster's Department of the Army could better fulfil all their duties and accomplish all that is aimed at by the law."<sup>2</sup>

In the last days of the war the President adopted the true policy. February 7, 1865, Grant telegraphed

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<sup>1</sup> O. R., vol. xlviii. part i. p. 829.

<sup>2</sup> Ibid., vol. xlvi. part ii. p. 88. General N. J. T. Dana wrote from Memphis Jan. 5, 1865 to United States Purchasing Agent Ellery: "The duties of the cotton permit offices are of so delicate a nature that they cannot properly be delegated. The amount of work done by this officer during the few days his office has been in operation is truly astonishing, and would of itself induce the supposition that sufficient caution and deliberation is not used by him. Between the 22 December and 31 Decembe he issued 147 safeguards or permits amounting to 19,381 bales, besides 30,000 pounds of seed cotton." — Ibid., vol. xxxviii. part i. p. 421.

to the Secretary of War from City Point: "A. M. Laws is here with a steamer partially loaded with sugar and coffee and a permit from the Treasury Department to go through into Virginia and North Carolina, and to bring out 10,000 bales of cotton. I have positively refused to adopt this mode of feeding the Southern army unless it is the direct order of the President."<sup>1</sup> An answer came immediately from Stanton giving Grant the authority of the President to "disregard and annul" all permits "by whomsoever signed" and ending thus: "The President orders that you 'as being responsible for military results must be allowed to be judge and master on the subject of trade with the enemy.'"<sup>2</sup>

The evidence will warrant the statement that the corruption was probably confined to the volunteer service where for the most part it prevailed among officers of the rank of colonel and below. I have come across suspicions officially stated of two brigadier-generals,<sup>3</sup> a newspaper charge against one major-general<sup>4</sup> and I am aware of current talk which would implicate two others; but so far as I know there is no evidence of corruption in the trade with the Confederacy which may be properly considered by a historian against any major-general holding a high and responsible position except Benjamin F. Butler of Massachusetts. Butler occupied New Orleans May 1, 1862 and became an absolute ruler over the city. Before the end of June "an officer of the government" told Secretary Chase that Butler was availing himself of his military command "to engage in mercantile speculation and had already made considerable shipments North on private account."<sup>5</sup> A number of private letters to Chase written from New Orleans by George S. Denison, a special agent of the Treasury Department and acting collector,

<sup>1</sup> O. R., vol. xlvi. part ii. p. 445.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid., vol. xxxii. part iii. p. 39; vol. xlvii. part ii. p. 928.

<sup>4</sup> New York *World*, June 15, 1864.

<sup>5</sup> O. R., ser. iii. vol. ii. p. 173.

strengthens this suspicion. August 26 he mentions Colonel Andrew J. Butler, a brother of the general, who "is here for the sole purpose of making money"; our enemies and some of our friends, he adds, believe that the general is interested with his brother but Denison himself did not share that belief. By September 9 his confidence had abated. "Circumstances look very suspicious," he wrote. When he chanced to hear Butler's explanations "suspicion almost entirely disappears" but "it is the general impression here that money will accomplish anything with the authorities." October 10 he wrote in a "private and unofficial" letter: "Government officers, citizens and rebels, generally believe Colonel Butler to be the partner or agent of General Butler. He does a heavy business and by various practices has made between one and two million dollars since the capture of the city." He goes on to say that General Butler "knows everything, controls everything and should be held responsible for everything." He explained that there were "two channels of trade with the rebels—the river and Lake Pontchartrain." Steamboats were necessary for the river trade and the eight or nine of them which were in New Orleans had been seized by the military authorities and were in their possession. These boats Colonel Butler used at will carrying supplies up the river and bringing back produce; this trade was constant and at times active. Of late one or two infantry companies had been detailed to go along with each boat but the service was unpopular, the officers and men feeling that they had enlisted for the country and not for the benefit of speculators.

Denison knew more about the lake trade as it was conducted in schooners and not in government steam-boats. Soon after his arrival he learned that large quantities of salt were being shipped across the lake to the Confederacy and supposing the exportation to be

simply smuggling he took measures to stop it. He caused the seizure of a vessel loaded with a thousand sacks of salt which was getting ready to cross the lake and then called at once on General Butler to ask him to put a guard upon the vessel. His visit was made at about nine o'clock in the evening, and Butler, Denison writes, "appeared indignant at the attempt to take salt to the enemy"; he furnished the guard asked for and "ordered the immediate arrest of the captain and shippers." But the next day the provost-marshall, who was entirely under the control of General Butler, told Denison that "it was all a misunderstanding. The shipper had a permit for 500 [sacks] but not for 1000." The provost-marshall had released the captain and shipper; the vessel had been unloaded and also released. For a while after this occurrence only a little trade was carried on but in August (1862), "General Butler gave a permit to a rebel to ship four large cargoes, much of which was contraband, across the lake." Denison called immediately upon the general "who said that it was the policy of the government to get cotton shipped from New Orleans and for that purpose to trade with the enemy" and he gave Denison the impression that "this course was approved at Washington." For two months before the date of this letter (October 10, 1862) trade had "been active across the lake."<sup>1</sup> After re-

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<sup>1</sup> Denison adds some specific instances one of which I will cite: "Capt. Cornwell, Co. A, 13th Conn. Regt. was stationed with his company at mouth of new Canal, for about three weeks, ending last Saturday. He states that the first schooner going out was laden with large amt. of contraband articles, some medicines including 80 gals. Castor Oil—it had Gov. Shepley's permit [George F. Shepley, military governor of Louisiana, his jurisdiction including New Orleans, appointed in June, 1862]. He sent his 2d Lieut. (Kinney) to Gen. Butler who said 'Go to Gov. Shepley and ask him if he does not know that these articles will go right into the hands of the enemy.' Gov. Shepley said, 'Return to Gen. Butler and say that I consulted *him* before giving this permit.' Whereupon Gen. B. said, 'Well let it go, since Gov. S. has granted a permit.' The same thing happened two or three days afterwards,

ceiving a copy of the trade regulations of the Secretary of the Treasury (dated August 28, received October 5) which gave him authority to stop this commercial intercourse Denison told General Butler "that this trade gave aid and comfort to the enemy without benefit to the Gov't—that it demoralized the army, disgusted loyal citizens—and degraded the character of the Gov't. He smilingly assented—said it ought to be stopped—that he didn't see why Shepley granted such permits." Denison adds: "The stringent blockade enhances prices in the Rebel States, and is a great thing for the military speculators of this Department—and their friends. I know of 5000 sacks salt being sent to the enemy and I think more than 10,000 have been sent." He concludes his letter thus: "Most of this trade can be stopped but I believe the present military authorities are so corrupt that they will take all means to make money. . . . Gen. Butler has always been kind to me and our personal relations are upon the most pleasant footing. He has great ability, great energy, shrewdness and activity and industry, but he can never acquire a character here for disinterestedness. Many officers and soldiers want to go home, not wishing to risk their lives to make fortunes for others."

November 10 General Butler showed Denison a letter which he had just received from Secretary Chase who had written to him regarding Colonel Butler's speculations and trade with the enemy. General Butler asserted that his brother had done "only a legitimate business" that he himself had no interest in it although "he assisted his brother at first with his credit." He said confidentially that his brother's profits "have been less than two hundred thousand dollars and that he will close his business as quickly as possible and go home."

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when Gen. B. received the messenger and at once wrote on the back of the permit, 'Gov. Shepley's passes *must* be respected.' Capt. Cornwell now wants to go home."

November 29 it was the opinion of Denison that the affairs of the Department were now managed with "entire honesty" but this condition lasted for but a brief period. Eleven days later he discovered that Colonel Butler had loaded a vessel with five hundred sacks of salt ostensibly for Matamoras but really for the Southern Confederacy. Salt was cheap at Matamoras but worth in "rebeldom" \$150 per sack. Cotton could be bought there for fifteen cents per pound and delivered to some point on the Mississippi River whence it could be transported to New Orleans and there sold at sixty cents. Denison went to General Butler with the information he had secured regarding the vessel's cargo. Butler was very indignant and Denison did not believe his indignation was "feigned." The general assured Denison that he would investigate the affair thoroughly and if his brother and those associated with him were interested in the operation they should leave New Orleans at once. This conversation took place December 10. Thirty-two days previously the President had determined on relieving Butler and had selected Banks for the command of the Department of the Gulf but Banks did not arrive at New Orleans until the middle of December assuming command the 17th.<sup>1</sup> Though Chase probably communicated to the President the information contained in Denison's letters and though at least one other suspicious circumstance was brought to Lincoln's notice<sup>2</sup> Butler was not removed for the alleged speculations. It was the pressure on the State Department from the diplomatic representatives of the European nations, especially from the French minister that effected his removal.<sup>3</sup>

Denison had further intended to give Chase "consid-

<sup>1</sup> O. R., vol. xv. pp. 590, 611. Butler probably knew that his removal had been determined on at the time of this conversation (Dec. 10); see Butler's Book, p. 529.

<sup>2</sup> O. R., vol. xv. pp. 582, 591.

<sup>3</sup> See vol. iv. p. 92, note 5.

erable information about speculations here" but the change in command made this unnecessary. He reported that the removal of Butler gave satisfaction to officers, soldiers, and citizens for they believed that he had been interested with his brother in those commercial speculations which had "created a general disgust."<sup>1</sup>

The evidence furnishes a strong presumption of Butler's guilt: I purposely avoid the word proof. Denison wrote Butler "is such a *smart* man that it would in any case be difficult to discover what he wished to conceal."<sup>2</sup> The defence by Butler in his book is inadequate; that of Parton his eulogist is flippant.<sup>3</sup> Both have conceded that a large amount of money was made by Colonel Butler<sup>4</sup> who, at his death, bequeathed a large fortune to his brother.<sup>5</sup>

It is true that Butler afterwards received another command from the President<sup>6</sup> and that he was regarded with high favour by a very large number of excellent people at the North. His administration at New Orleans had been vigorous and in many respects able and had won the hearts of people who thought that the Southerners should be treated like hated enemies and not like erring brothers. It is undeniable that he

<sup>1</sup> The Denison letters are in the Chase papers MS. I am indebted to Professor A. B. Hart for calling my attention to them and for arranging them methodically. They are now in the Library of Congress, Washington, and are printed in the Annual Report of the American Historical Association, 1902, vol. ii., under the title of *Diary and Correspondence of S. P. Chase*.

<sup>2</sup> Letter of Sept. 9, 1862.

<sup>3</sup> General Butler in New Orleans, Parton, pp. 410, 411.

<sup>4</sup> Parton, p. 411. Butler in conversation with William Endicott and E. L. Pierce at Lowell when they went to see him after his removal in regard to a public dinner offered him by citizens of Boston. My authority is William Endicott, March, 1902.

<sup>5</sup> *The Nation*, Sept. 3, 1868, p. 186.

<sup>6</sup> Lincoln wrote to Stanton Jan. 23, 1863: "I think General Butler should go to New Orleans again. He is unwilling to go unless he is restored to the command of the department. . . . I think we cannot longer dispense with General Butler's services." — Lincoln, Complete Works, vol. ii. p. 305.

managed a difficult situation well. He brought order and quiet to the city; he protected life and property; he prevented the usual visitation of yellow fever showing always a remarkable physical courage in pursuing his energetic policy despite the constant threats of assassination which came to him in this unfriendly and turbulent community where ruffians abounded. While his notorious woman order was in my opinion not justified by the circumstances<sup>1</sup> and while his action towards some of the foreign consuls was unnecessarily harsh and irritating,<sup>2</sup> the merits of his administration would have outweighed its defects had he been honest. Denison in letter after letter to Chase in the first part of 1863 regrets his removal and wishes he were back. "Butler is the only man who is equal to the situation,"<sup>3</sup> he writes. "My admiration for him increases every day as continued opportunities occur of comparing his command with the present."<sup>4</sup>

Jefferson Davis by public proclamation denounced Butler as a "felon deserving of capital punishment," "an outlaw and common enemy of mankind" and ordered that if taken prisoner he should be immediately hanged.<sup>5</sup> This proclamation and the epithets "brute, beast, tyrant, thief, robber"<sup>6</sup> which were continually being applied to him by the Southerners helped him with the Northern people and led them to believe that

<sup>1</sup> See vol. iv. p. 92, note 5. But a writer in *The Nation* opposing Butler's nomination for Congress says: "The order about the women was an ingenious, a merciful, and perfectly proper way of dealing with a disgusting nuisance. It was a device on which any foreign general would have been glad to hit; compared with the flogging of Madame de Maderspach, for instance, which did not exclude Haynau from the best circles in Europe, it was humane and civilized. And it justified itself because it produced the desired effect without injury to anybody in mind, body or reputation, and this is the best possible test of the value of penal legislation." — Sept. 3, 1868, p. 186. Concerning the Austrian marshal Haynau see History of Modern England, Paul, vol. i. p. 230.

<sup>2</sup> See O. R., vol. xv. *passim*, also ser. iii. vol. ii.

<sup>3</sup> Feb. 5.

<sup>4</sup> March 7.

<sup>5</sup> Dec. 23, 1862, O. R., vol. xv. p. 906.

<sup>6</sup> *Ibid.*, ser. iii. vol. iv. p. 1001.

any charges against him were emanations from "rebels and Copperheads." John Murray Forbes when balancing the candidates for the presidency in 1864 was not able to speak more strongly in favour of Lincoln than to say "I like him better than Ben Butler!"<sup>1</sup> In New Orleans Union men said, so Denison wrote January 18, 1863, that they wished Butler "was President for though he would make millions for himself during the first three months he would finish the war in three months more."

In 1864 Butler was in command of the Department of Virginia and North Carolina with headquarters at Fort Monroe opposite Norfolk. Here trade with the enemy was going on. Medicines, coffee, molasses, sugar, bacon, salt, boots, hats and dry goods went to the Confederates and to pay for them cotton came back from North Carolina. One of the rates of exchange was a pound of meat for a pound of cotton. The business was like that carried on in other military departments with the distinct difference that here the major-general commanding was suspected of having a share of the profits, one of the representatives of his interest being a brother-in-law. That the suspicion was well grounded appears from the testimony before the Committee on Commerce of both Houses of Congress acting as a joint committee to investigate the "trade with rebellious States."<sup>2</sup>

The suspicion becomes a strong presumption from the words of General George H. Gordon who was in a position to acquire accurate information and judge fairly. Gordon served under Butler from October 3, 1864 until the removal of the major-general from the command of the department. He was chairman of a

<sup>1</sup> Letters and Recollections, vol. ii, p. 89.

<sup>2</sup> E. B. Washburne was chairman of the committee and made the report March 1, 1865. Report No. 24, 38th Cong. 2d Sess. In an excellent compilation called The Record of B. F. Butler (Boston, 1883) Mr. Moorfield Storey presents and analyzes keenly this testimony.

military commission appointed "to inquire into the extent and nature of the trade carried on through and from the port of Norfolk with the interior of Virginia." The commission took a large amount of testimony and made a report which has never been printed. But from Gordon's speeches against Butler during the congressional campaign of 1868 and from his War Diary of 1863-1865 it is easy to see he believed that Butler used his high official position for private gain.<sup>1</sup>

January 4, 1865 Grant wrote to the Secretary of War: "I am constrained to request the removal of Maj. Gen. B. F. Butler. . . . I do this with reluctance, but the good of the service requires it. In my absence General Butler necessarily commands, and there is a lack of confidence felt in his military ability, making him an unsafe commander for a large army. His administration of the affairs of his department is also objectionable."<sup>2</sup> Three days later Butler was relieved from his command and ordered to repair to Lowell.<sup>3</sup> February 13 Grant was able to write with satisfaction, "I have put a stop to supplies going out through Norfolk to Lee's army."<sup>4</sup>

A thorough investigation by means of the Official Records of the subject of commercial intercourse between the South and the North will cause any historical student to feel the difference in the moral atmosphere of Grant's or Sherman's departments on the one hand and of Butler's on the other. Trade went on in all three departments but Grant and Sherman disapproved of it and would have stopped it could they have obtained the proper authority from Washington. Every word they write has the ring of sincerity. There is no necessity of

<sup>1</sup> Speeches of Oct. 16, 28, Boston *Daily Advertiser*, Oct. 17, 31; Gordon's War Diary, 1863-1865, p. 375 *et seq.*

<sup>2</sup> O. R., vol. xlvi. part ii. p. 29.

<sup>3</sup> Ibid., p. 60.

<sup>4</sup> Ibid., vol. xlvii. part i. p. 829. This trade was stopped Feb. 7, *ibid.*, vol. xlvi. part ii. p. 445.

seeking for a covert meaning in their despatches, for there is none. They mean what they say. Butler on the other hand did all he could to foster the trade and in his despatches he befores the inquirer who desires to get at the truth.

Probably it can never be absolutely proved that Butler shared the profits of his brother at New Orleans and of his brother-in-law in Virginia but in forming a historical judgment of him it is proper to take into account the reputation he bore before he became a military commander. Butler's "reputation at the bar before the war broke out," says an intelligent writer in *The Nation* of September 3, 1868, "was that of an unscrupulous practitioner. His professional brethren and the public of his own State certainly had no reason to doubt his ability. They say they had every reason to doubt the delicacy of his moral fibre." Governor Andrew wrote December 21, 1861 to the senators of Massachusetts, "that the whole course of proceeding under Major-General Butler in this Commonwealth seems to have been designed and adapted simply to afford means to persons of bad character to make money unscrupulously."<sup>1</sup> Common experience of affairs teaches us that when a man like Butler is put in a position where he sees a large amount of money being illicitly made, and has a chance to get some of it without being found out, he is pretty certain to embrace the opportunity. When Benjamin F. Butler went to New Orleans in 1862 he was on the authority of Parton the owner of property worth \$150,000. By 1868, according to the statement of one of his friends in the congressional canvass of that year this had grown to a fortune of three millions.<sup>2</sup>

I need not hesitate to affirm that the weight of the historical evidence implies that Butler's course in money matters during the Civil War was not what is expected

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<sup>1</sup> O. R., ser. iii. vol. i. p. 865.

<sup>2</sup> Gordon's speech of Oct. 28, 1868.

of men placed in positions of trust: beyond reasonable doubt he was making money out of his country's life-struggle. May we be spared in future the need of such servants who, efficient as they may be when their country's interest and their own do not clash, are yet willing to risk prolonging her agonies for the sake of private gain!

It is a common remark and true that the war was not brought home to the people of the North as it was to those of the South, the fighting for the most part taking place on Southern soil. The invasion of Maryland which ended with the battle of Antietam, the menace at the same time to Cincinnati and the invasion of Pennsylvania which was turned back by the Union victory at Gettysburg have been related in their due military sequence. The inroad into Indiana and Ohio by General John H. Morgan in the summer of 1863 has no military importance but is nevertheless significant by virtue of the light it threw on the life of the people. Morgan had made a number of raids in Kentucky being known in the words of Rosecrans as "the terror of Kentuckians"<sup>1</sup> but he now aspired to a larger enterprise which was in opposition to the orders of his superior officer. Breaking through the Union line in Kentucky he marched north and then northwest to the Ohio River where having eluded the troops in pursuit he seized two steam-boats and crossed (July 8, 1863) to the Indiana side having with him about 3000 cavalry or mounted infantry and four field pieces of artillery. Continuing his march he lived upon the country occupied a number of little towns, levied assessments on manufacturing establishments under a threat of setting them afire, cut telegraph wires and burned bridges, while his men plundered the village retail shops in an indis-

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<sup>1</sup> O. R., vol. xxiii. part ii. p. 521.

criminate and ludicrous fashion.<sup>1</sup> His force was largely overestimated and his operations caused excitement and alarm in Indiana and Ohio. Governor Morton<sup>2</sup> was "very much afraid"<sup>3</sup> that he intended moving on Indianapolis at once. The banks of that city sent their money to Chicago. General Burnside, whose headquarters were in Cincinnati, proposed to declare martial law in his department and asked before taking that step the approval of the governors of Indiana, Ohio, Kentucky, Michigan and Illinois. While the governors of Ohio, Illinois and Kentucky assented to the proposed action Morton could see no good in it but "much possible harm"<sup>4</sup> and his objection probably induced Burnside to give up the idea: at all events he did not declare martial law as he had designed. Morton called out the militia of his State and within three days a large number had taken the field, but not being well organized nor disciplined and lacking ammunition they were not effective in impeding Morgan's march, an object greatly desired in order that the adequate force of Union cavalry

<sup>1</sup> "This disposition for wholesale plunder exceeded anything that any of us had ever seen before. The men seemed actuated by a desire to 'pay off' in the 'enemy's country' all scores that the Federal army had chalked up in the South. . . . Calico was the staple article of appropriation — each man (who could get one) tied a bolt of it to his saddle only to throw it away and get a fresh one at the first opportunity. They did not pillage with any sort of method or reason — it seemed to be a mania senseless and purposeless. One man carried a bird cage with three canaries in it for two days. Another rode with a chafing-dish, which looked like a small metallic coffin, on the pommel of his saddle, until an officer forced him to throw it away. Although the weather was intensely warm, another still slung seven pair of skates around his neck and chuckled over his acquisition. I saw very few articles of real value taken — they pillaged like boys robbing an orchard. I would not have believed that such a passion could have been developed so ludicrously among any body of civilized men. At Piketon, Ohio . . . one man broke through the guard posted at a store, rushed in (trembling with excitement and avarice) and filled his pockets with horn buttons. They would (with few exceptions) throw away their plunder after a while like children tired of their toys." — General Basil W. Duke, *History of Morgan's Cavalry*, p. 437.

<sup>2</sup> Oliver P.

<sup>3</sup> O. R., vol. xxiii. part i. p. 717.

<sup>4</sup> Ibid., p. 728.

and mounted infantry from the Twenty-third Corps which had pursued him from Kentucky might bring him to bay. Morgan had no intention of going to Indianapolis ; after marching north for a while he turned to the eastward and in four days was in Ohio. His progress had been swift, his troopers averaging twenty-one hours a day in the saddle and on one occasion riding ninety miles in about thirty-five hours. When their horses broke down they seized fresh ones and in this way obtained a constant advantage over their pursuers whose horses were jaded. July 13 he was within thirteen miles of Cincinnati. On the previous day Governor Tod had called out the militia of thirty-two counties of Ohio and now General Burnside declared martial law in the cities of Cincinnati, Covington and Newport, suspending all business and requiring all citizens to organize for the defence of their homes. To attack Cincinnati was not a part of Morgan's plan. On the night of the 13th he marched around the city and halting at a point twenty-eight miles east of it, gave his men some needed rest, worn out as they were by their rapid march and constant apprehension of danger. Such a reckless venture could have but one end. Harassed by the militia, their progress impeded by the felling of trees in their way and the taking up of the planks of bridges, they were overtaken July 19 at Buffington Island where they hoped to recross the Ohio River : a skirmish ensued resulting in the capture of a number of Confederates. The next day after a sharp pursuit the retreat of the rest was cut off and all surrendered except Morgan himself and a few hundred men who escaped during the delay consequent on the negotiations. These were pursued with energy and six days later were captured at a place three miles south of New Lisbon, Ohio.

The significance of this raid for our purpose lies in the state of affairs it revealed in Indiana and Ohio. It will be remembered that in May, 1863 Vallandigham

had been arrested, tried and convicted by court martial and banished from the country; that he had thereupon been nominated for Governor by the Democrats and that in this month of July, 1863 an enthusiastic canvass was being made in his favour.<sup>1</sup> While no election took place in Indiana in the autumn the Democrats of that State had early in the year caused the President and Governor Morton considerable uneasiness<sup>2</sup> and, now in full sympathy with Vallandigham were deeply interested in the contest in Ohio. It was no wonder Morgan thought he might receive direct and indirect assistance from those who professed to sympathize with the South. In this he was disappointed. It was a surprise to him and his troopers to see how many able-bodied men turned out as militia to oppose their progress. Basil W. Duke, one of Morgan's colonels and the historian of the expedition compares "thinned out Dixie" with these States of "dense population, apparently untouched by the demands of the war. The country was full the towns were full and the ranks of the militia were full."<sup>3</sup> In Indiana within forty-eight hours after the call for the militia was issued 65,000 came forward and were on the way to the places of rendezvous. Fifty-five thousand turned out in Ohio. Morgan's men saw everywhere evidences of prosperity. They lived on the fat of the land and had what was peculiarly appetizing to soldiers from the South, an abundance of wheaten bread and home-baked pies. But no assistance came to them from Southern sympathizers. "The Copperheads and Vallandighammers," Duke declares, "fought harder than the others," and near Cincinnati he sneers at "our Copperhead friends" who did not come out of the city to give them sadly needed information.<sup>4</sup> On the other

<sup>1</sup> Vol. iv. p. 247 *et seq.*

<sup>2</sup> *Ibid.*, p. 223.

<sup>3</sup> History of Morgan's Cavalry, p. 439.

<sup>4</sup> *Ibid.*, pp. 439, 442. Captain Hines who was with Morgan writes: "The Copperheads turned out and fought by the side of their loyal neigh-

hand the Democrats were disgusted with Morgan. The exigencies of his case forbade that he should stop to inquire whether the food he took came from Democratic or Republican farms and households and when his men were bent on plunder they did not first ascertain how the shopkeeper intended to vote at the fall election.<sup>1</sup>

Morgan's raid defined the limits of the danger to be apprehended from the Knights of the Golden Circle and other secret societies whose foothold was stronger in Ohio, Indiana and Illinois than anywhere else. Whatever they might do it was almost certain that they would not rise with arms in their hands to give assistance to the invading enemy in his work of ravaging the Northern States.

The delight of large numbers of Americans in secret societies is evidenced by the popularity of the orders of Freemasons, Odd Fellows, Good Templars and Sons of Malta; that the machinery of these brotherhoods might be used with effect in a political organization was shown by the Know-nothings.<sup>2</sup> Now, by a process of natural development a large number of Democrats during the Civil War became members of a secret society which at first was called Knights of the Golden Circle but in the autumn of 1863 took the name of the Order of American Knights, continuing the use of bombastic oaths, passwords, grips and signs. The initiation of members was conducted with due solemnity beginning thus: "Who cometh? Who cometh? Who cometh?"

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bors and no aid in any shape was afforded the raiders." — *The Southern Bivouac*, Dec. 1886, p. 442.

<sup>1</sup> My authorities for this account are various despatches and reports in O. R., vol. xxiii. part i. p. 633 *et seq.*; part ii. p. 521 *et seq.*; History of Morgan's Cavalry, Duke, chap. xiv.; J. D. Cox's Military Reminiscences, vol. i. chap. xxiv.; Life of Morton, Foulke, vol. i. p. 278 *et seq.*; Duke and M'Gowan in Annals of the War (*Philadelphia Weekly Times*, 1879) pp. 241, 750; Duke and Wilcox in Famous Adventures, etc. (Century Co., 1893), pp. 116, 144; Appleton's Annual Cyclopædia, 1863, p. 112; Nicolay and Hay, vol. viii. p. 53; Indiana in the War of the Rebellion, W. H. H. Terrell, p. 178, Statistics and Documents, p. 301; Report of the Adjutant-General of Ohio, 1863.

<sup>2</sup> See vol. ii.

asks the knight lecturer; and the warden of the outer court responds: "A man! We found him in the dark ways of the sons of folly, bound in chains, and well-nigh crushed to death beneath the iron heel of the oppressor."<sup>1</sup> The most familiar password was, nu-oh-lac, being Calhoun spelled backwards. The cry of distress was oak-houn, O. A. K. being the initials of the order, and houn, the last syllable of the name of the South Carolina statesman. The penalty for the violation of the oath was "a shameful death" and the body of the betrayer should be divided into four parts and cast out at the four gates of the temple — temple being a distinct appellation for lodge.

Owing to certain revelations the name of the order was changed early in 1864 to the Sons of Liberty, which was generally adopted throughout the West although some localities adhered to the designation of American Knights. Vallandigham while still an exile was elected supreme grand commander. The organization attained its maximum membership sometime in the year 1864 which Joseph Holt, judge-advocate-general, thought might number 500,000, although measured by the Democratic vote of 1864 this was an obvious exaggeration. In the region of its greatest strength Illinois, Indiana and Ohio it may have counted 175,000, and the number of Sons of Liberty or American Knights in Kentucky and Missouri was also large but outside of these five States the membership of the order was inconsiderable. The members for the most part looked upon the order as an efficient adjunct to the Democratic party and a counter movement to the Union Leagues which the Republicans had formed.<sup>2</sup> The more extreme who were generally officers under different fantastic appellations believed that the organization might be used to resist arbitrary arrests and to interfere with the draft,<sup>3</sup> and the

<sup>1</sup> Indiana Treason Trials, Pitman, p. 297.

<sup>2</sup> *Ante.*

<sup>3</sup> See vol. iv. p. 241.

most daring had dreams of a Northwestern Confederacy which should compel the war to cease. These were willing to discuss plans of an armed rising to free the Confederate prisoners in different parts of the West who in turn should assist the Sons of Liberty in the establishment of the Northwestern Confederacy. But this scheme of rebellion and treason was confined to talk and to the taking of darkly mysterious oaths. When the time for action came, armed men did not appear. Indeed few of them wished for the military success of the Southern Confederacy. All condemned alike secession and coercion and all yearned for the restoration of the Union as it was with the negro in slavery and with the general acceptance of the ante-war doctrine of State sovereignty. Admission to the order was not difficult and detectives and Union men who joined it furnished to the government its ritual, signs, grips, passwords and the secret plans of those who had taken the "second conclave degree" and dwelt in the "innermost temple." In 1864 the most daring schemes were concocted and the knowledge of them gave great concern to General Rosecrans who was now stationed in St. Louis. He desired to send the provost-marshall-general of the Department of the Missouri to Washington to impart the alarming intelligence to the President who, instead of granting his request sent his private secretary John Hay to St. Louis to ascertain what Rosecrans had unearthed. The general knew no facts not already in the possession of the President and Secretary of War but he felt sure that when Vallandigham returned from Canada the Knights or Sons of Liberty would rise throughout the Northwest and attempt to revolutionize the loyal States.

The feeling of Governor Morton is not entirely clear but, engaged as he was in a struggle for political power, he was undoubtedly more afraid that his Democratic opponent, Joseph E. McDonald would defeat him for

Governor in the October election of 1864 than that the Sons of Liberty would rise and depose him from power. The number of members of this organization in Indiana has been estimated all the way from 17,000 to 100,000. Here as in the other States the order had a military department; and the number of armed men in Ohio, Indiana and Illinois who could be mobilized for effective service was supposed by certain timid people to be very large. While many of these estimates were absurd it is true that a few Sons of Liberty had agreed to assist by force some Confederates whose base was Canada in an effort to free the prisoners of war confined at Johnson's Island and Camp Chase, Ohio, Camp Morton, Indianapolis and Camp Douglas, Chicago with possible attempts also on Springfield and Rock Island, Illinois. At five of these places were 17,000 Confederate prisoners and at Rock Island were probably 6000 more. The movement of the Sons of Liberty might begin with resistance to the draft, continue by giving freedom to the prisoners from the South, and might end, they hoped, by the seizure of the State governments of Illinois, Indiana and Ohio.

Negotiations were opened with Jacob Thompson<sup>1</sup> who had been sent as a commissioner to Canada by Jefferson Davis to further the interests of the Confederate States; and Vallandigham had an interview with him at Windsor, a plausible account of which is given by Captain Hines, one of the officers of Morgan who had escaped with his general from the Ohio penitentiary and was now detached for special service under the direction of Thompson. Thompson intimated cautiously to Vallandigham that he would furnish money and arms to be used in promoting a Northwestern Confederacy but Vallandigham declined such assistance. While smarting from his arrest, trial and banishment he made it clear

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<sup>1</sup> Secretary of the Interior under Buchanan.

that he could not identify himself with the Southern cause nor take any part in a war against the national or State governments. He said further that he intended to return soon to his home in Ohio; that he expected to be re-arrested but, if he were, he thought there would be a general uprising of the Sons of Liberty in his behalf.<sup>1</sup> He introduced to Thompson the so-called adjutant-general of the order to whom the Southerner afterwards gave money to be used in arming and mobilizing the county "regiments." It was however necessary to be wary in distributing this money (Hines writes) as most of those who were willing to take up arms to redress their own grievances did not want any assistance from the Southern Confederacy; consequently few were aware of Thompson's contributions but with those few his relations were cordial and he felt sanguine that their operations assisted by the Confederate veterans in Canada would redound to the benefit of the Southern cause. He was informed that the Sons of Liberty had fixed upon July 20, 1864 as the day for the rising. But before that day arrived the general council of the order decided that a movement then would be premature and the time was postponed to the 16th of August.

It was thought desirable that a series of public peace meetings should be held to prepare the public mind and

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<sup>1</sup> *The Southern Bivouac*, Jan. 1887, pp. 502, 505 *et seq.*; see also Life of C. L. Vallandigham, p. 375. What Vallandigham expected and what Rosecrans feared did not take place. On the night of June 14 Vallandigham in disguise crossed the Detroit River from Windsor to Detroit apparently with fear and trembling and took the sleeping car on a train which next morning reached Hamilton, Ohio where a district convention was in session to select delegates to the Democratic National Convention. Vallandigham made an earnest speech and was elected one of the delegates. The President shrewdly took no notice of his return from banishment guessing rightly that Vallandigham would serve the Union cause better at Chicago than in Canada. He bore an influential part in the convention which nominated McClellan, wrote and carried through the committee the so-called "Resolved that the war is a failure"—a declaration which caused much trouble to his own party and joy to the supporters of the administration. Life of Vallandigham, p. 351; Nicolay and Hay, vol. vii. p. 359; my vol. iv. p. 522.

the first one took place early in August at Peoria, Illinois. Thompson furnished all the money that was needed to make this meeting go off well. "It was a decided success," he wrote to Benjamin;<sup>1</sup> "the vast multitudes who attended seemed to be swayed but by one leading idea — peace. The friends were encouraged and strengthened and seemed anxious for the day when they would do something to hasten them to the great goal of peace."<sup>2</sup> "In order to arouse the people," he wrote to Slidell and Mason, "political meetings called 'peace meetings' have been held and inflammatory addresses delivered and whenever orators have expressed themselves for peace with the restoration of the Union and if that cannot be, then peace on any terms, the cheers and clamor of the masses have known no bounds."<sup>3</sup> But the influence of certain acts of the President operated in a way, so Thompson thought, to frustrate the intended rising of the order. The dissatisfaction with the July 18, 1864 call for 500,000 volunteers and the order for the draft for unfilled quotas to begin September 5<sup>4</sup> and with the "To whom it may concern" manifesto<sup>5</sup> caused the leading Democratic politicians to believe that "Lincoln could be beaten at the ballot-box," and this belief filtrating to the ardent Sons of Liberty was a check to the devised revolt. "The nerves of the leaders of the order began to relax."<sup>6</sup> The plan had been that on August 16 mass-meetings should be held at Chicago, Indianapolis and possibly Columbus when the proposed rising should take place. The government had information of the project and was prepared to repress any outbreak but in fact there was little if any danger of such an organized resort to force, and even if there had been

<sup>1</sup> The Secretary of State of the Southern Confederacy.

<sup>2</sup> Dec. 8, 1864, O. R., vol. xliv, part ii, p. 981.

<sup>3</sup> August 23, 1864, *The Southern Bivouac*, Jan. 1887, p. 509.

<sup>4</sup> Vol. iv, p. 506.

<sup>5</sup> Ibid., p. 514.

<sup>6</sup> Letter of Thompson to Benjamin; also to Slidell and Mason.

the influence of prominent Democrats would have prevented it. It is probable that Vallandigham was opposed to any offensive action;<sup>1</sup> and the course of events in Indiana showed that the few hot-heads could not get a following for the execution of their dangerous and treasonable project.

It will be remembered that at this time (the summer of 1864) no Democratic candidate for the presidency had been placed in nomination; but in Indiana a spirited contest for governor had begun. Morton was the Union candidate and Joseph E. McDonald a man of parts, of high character and great personal popularity had been nominated by the Democrats: he was not an adherent of Vallandigham. To him the knowledge of this proposed rising was imparted by the chairman of the Democratic State Committee, who, on account of his office had been taken into the confidence of the conspirators but who had refused to call the desired mass-meeting. McDonald declared that the movement must be stopped. At the same time Michael C. Kerr, a prominent Democrat who was a candidate for member of Congress came from New Albany to Indianapolis and told his brother Democrats: "The devil's to pay in our section of the State; the people have got the idea that a revolution is impending; the farmers are frightened and are selling their hay in the fields and their wheat in the stacks and all the property that can be is being converted into greenbacks." Kerr joined his influence to that of McDonald and said that if "this revolutionary scheme" was not stopped it would be their duty "to inform the authorities."<sup>2</sup> Had a finishing blow to the project of a rising at Indianapolis been needed it was given by the action of these two men. This remonstrance culminated August 5 (1864). About

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<sup>1</sup> Life of Vallandigham, p. 376; the tenor of his speeches and actions.

<sup>2</sup> Indiana Treason Trials, Pitman, pp. 101, 102.

fifteen days later on the information and at the instance of Governor Morton the police seized in the printing-office of Dodd (the grand commander in Indiana) thirty-two boxes marked "Sunday-school books" which were found to contain 400 navy revolvers and 135,000 rounds of ammunition. It was known that more of the same materials were in New York City destined for Indianapolis;<sup>1</sup> but it was not then known that these had been purchased with money furnished by Thompson.<sup>2</sup>

Morton appreciated at once the political capital that could be made out of this transaction. The story of the seizure was published together with some documents of the Sons of Liberty and a number of compromising letters of prominent Democrats, giving him an impressive text for a stirring speech made in Indianapolis to a large indignation meeting which at once assembled. Public opinion against the Sons of Liberty was thoroughly aroused and as they were all Democrats their party suffered accordingly.

Directly after the protest of McDonald and Kerr but before the seizure of arms a committee of the Sons of Liberty met Captain Hines in London, Canada, and insisted that the rising should be postponed to August 29 (1864), the day of the assembling of the Democratic National Convention in Chicago: it was said that the occasion and the place would serve their purpose well. Hines was urgent for action and promised the committee abundant means for preparing and transporting a sufficiently numerous body of men to Chicago. He as well as Thompson was provided with money. When he set out upon his mission two hundred bales of cotton were transferred from the Confederacy to Memphis to furnish him funds which in the end undoubtedly came from some Northern cotton mill. The Sons of

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<sup>1</sup> Life of Morton, Foulke, vol. i. p. 408; Indiana in the War, Terrell, p. 302.

<sup>2</sup> O. R., vol. xliv. part ii. p. 931.

Liberty took the money which Hines offered but the day after the conference their faint courage oozed away. "A movement unsupported by vigorous co-operation at Indianapolis and Springfield had better not be undertaken," they wrote. "We leave for Chicago to-night to do our best but with heavy hearts and drooping hope."<sup>1</sup> Hines and sixty picked Confederates arrived at Chicago previous to the assembling of the Democratic convention and were ready and eager to do their part. To trusted prisoners at Camp Douglas information had been conveyed that a project to liberate them was on foot and they were prepared to take advantage at once of the means of escape. But the Sons of Liberty who had gone to Chicago cowed in spirit were further disheartened by the news that the garrison at Camp Douglas had been strengthened. Informed of the plot the government had sent re-enforcements to Chicago. Despite the earnestness of Hines and his Confederates the lack of organization and courage of the Sons of Liberty was so apparent as to convince them that they would receive no efficient support and therefore they for the present abandoned their project.<sup>2</sup>

In September and October arrests of prominent Sons of Liberty of Indiana were made by the commanding general of the department. The result of the business from Thompson's point of view is told in his letter to Benjamin from Toronto: The nomination of McClellan "followed as it was by divers disclosures and arrests of persons, prominent members, totally demoralized the Sons of Liberty. . . . The vigilance of the administration, its large detective force, the large bounties paid for treachery and the respectable men who have yielded to the temptation, added to the large military force stationed in these States make organization and prepara-

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<sup>1</sup> Aug. 8, 1864, *The Southern Bivouac*, Feb. 1887, p. 567.

<sup>2</sup> *Ibid.*, Feb. 1887, p. 567 *et seq.*; O. R., vol. xlv. part. i. pp. 1076, 1077.

tion almost an impossibility. A large sum of money has been expended in fostering and furthering these operations and it now seems to have been to little profit.”<sup>1</sup>

The real harm which the Sons of Liberty and kindred organizations did was to discourage enlistments and to foster resistance to the draft.<sup>2</sup> “I have not been a believer,” wrote Halleck to Grant August 11, 1864, “in most of the plots, secret societies, etc., of which we have so many pretended discoveries; but the people in many parts of the North and West now talk openly and boldly of resisting the draft, and it is believed that the leaders of the peace branch of the Democratic party are doing all in their power to bring about this result. The evidence of this has increased very much within the last few days. . . . It is thought the attempt will be made. Are not the appearances such that we ought to take in sail and prepare the ship for a storm?”<sup>3</sup> Following these threats and the actual discouragement of enlistments combined with the depression of Union men during the summer of 1864 and political and other excitements, there might have been, under some circumstances, a latent danger in these secret organizations by their egging excited men on to violence. In Indiana party feeling was in 1864 especially bitter and it was a remarkable event that Morton and McDonald could carry on a series of joint debates which would have been impossible had not cordial personal relations existed between these earnest opponents. At South Bend the expression of set determination on the faces of a large number of men in the great audience was a premonition of danger, which impressed Morton so strongly that he turned to McDonald who sat beside him on the platform and said, “I am told a great many of your friends have come here armed.” McDonald replied, “I

<sup>1</sup> Dec. 3, 1864, O. R., vol. xlivi. part ii. p. 931. The Sons of Liberty desired a more pronounced peace man than McClellan nominated.

<sup>2</sup> *Ante*, p. 230.

<sup>3</sup> O. R., vol. xlvi. part ii. p. 112.

have no doubt three-fourths of that audience are armed but you and I can control these meetings and so long as we do not lose our heads there will be no trouble." And there was none.<sup>1</sup>

Other commanding generals of departments besides Rosecrans were disturbed by these plots the magnitude and gravity of which were exaggerated in the reports of their detectives. The despatches of the summer of 1864 reflect constant and genuine alarm; and the report of Judge-Advocate-General Joseph Holt is an example of the astounding things believed by some in authority. Holt, credulous to the extent of accepting as truth nearly all the statements of detectives and alarmists, gave under the date of October 8, 1864, a historical account of these secret organizations in an official report to the Secretary of War. This secret order, he asserted in the summing up, is the "echo and faithful ally" of the "rebellion." "The guilty men engaged [in these movements] after casting aside their allegiance seem to have trodden under foot every sentiment of honor and every restraint of law human and divine. Judea produced but one Judas Iscariot and Rome from the sinks of her demoralization produced but one Catiline; and yet, as events proved, there has arisen in our land an entire brood of such traitors all animated by the same parricidal spirit and all struggling with the same relentless malignity for the dismemberment of our Union. This extraordinary phenomenon [is] not paralleled, it is believed, in the world's history."<sup>2</sup> Despite the many almost crushing burdens of the summer of 1864<sup>3</sup> which might have warped the sanest mind Lincoln's judgment

<sup>1</sup> Life of Morton, Foulke, vol. i. p. 355.

<sup>2</sup> O. R., ser. ii. vol. vii. p. 953. This report was printed in the New York Tribune of Oct. 17 with an editorial calling attention to "this startling revelation." The New York World of the same day said in effect that it was a campaign document. But at this time no such campaign document was needed. See my vol. iv. p. 536.

<sup>3</sup> Ante, p. 233; vol. iv. pp. 507, 517.

was true and could not be perverted by these disclosures which to many seemed so alarming. "The President's attitude," write Nicolay and Hay, "in regard to this organization [the O. A. K. or Sons of Liberty] was one of good-humored contempt."<sup>1</sup> It was probably in view of one of the estimates that there were a hundred thousand Sons of Liberty in Indiana that Lincoln made the remark to McDonald: "Nothing can make me believe that one hundred thousand Indiana Democrats are disloyal."<sup>2</sup>

Of the Indiana Sons of Liberty who were arrested in the autumn of 1864 I shall speak only of the three most important cases. Bowles, Milligan and Horsey were tried by a military commission on the charges of "conspiracy, affording aid and comfort to rebels, inciting insurrection, disloyal practices and violation of the laws of war." December 18, 1864 the commission found them guilty and sentenced them to be put to death, and the findings and sentences after being approved by the district and department commanders, were submitted to the President. On the one hand their friends and counsel appealed to him to spare their lives; on the other, the Republican senator and three representatives from Indiana protested against the commutation of the sentence. The President referred this protest to the judge-advocate-general, who recommended that the sentence be enforced. Lincoln took no action, and the men could not be executed until he confirmed the judgment, which he never did; but Johnson under the influence of the sentiment generated by the assas-

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<sup>1</sup> Nicolay and Hay, vol. viii. p. 8. The judgments expressed in this chapter of Nicolay and Hay on these organizations are of great historic value; see especially p. 13. I have assumed that the chapter was written by Mr. Hay. As a young man he investigated the subject under the direction of Lincoln and in mature life treated it historically. I have heard him discuss the matter in conversation giving utterance more emphatically to the same view.

<sup>2</sup> Nicolay and Hay, vol. viii. p. 13. In the autumn of 1864, 131,000 voted for McDonald.

sination of the President and guided by his stern purpose toward "traitors"<sup>1</sup> came near wreaking a sanguinary vengeance on these citizens of Indiana. He approved the sentence<sup>2</sup> and the commanding general at Indianapolis designated May 19, 1865 as the day on which they should be hanged. Three days previous to this date Johnson commuted "the sentence of death of Horsey to imprisonment at hard labor for life" and directed that the execution of Milligan and Bowles be suspended until the 2d of June but he refused then<sup>3</sup> to save their lives. At this juncture Justice Davis of the United States Supreme Court intervened persuading Governor Morton to protest to the President against these executions on the ground of the illegality of the military commission. This influence in the end prevailed and the lives of Milligan and Bowles were spared by an order telegraphed to Indianapolis sixty-three hours before the time set for their hanging which commuted the sentence of death to imprisonment for life. They were kept in prison until the decision of the United States Supreme Court in the Milligan case by virtue of which they were discharged from custody.<sup>4</sup>

<sup>1</sup> *Ante*, p. 151.

<sup>2</sup> April 29, 1865.

<sup>3</sup> Viz. May 18.

<sup>4</sup> The decision of the Supreme Court was arrived at April 3, 1866 but the opinion of the Court was not handed down until Dec. 17, 1866. April 10, 1866 the Secretary of War and the assistant adjutant-general sent telegrams to the warden of the Ohio State Penitentiary stating that the President had directed the remission of the sentence of Bowles, Milligan and Horsey and their release from imprisonment. Milligan was taken from the penitentiary at 3 o'clock P.M., April 10 on a writ of habeas corpus and discharged. At 5 P.M. Bowles and Horsey were released from confinement by virtue of the order of the assistant adjutant-general.

My authorities for this account are: O. R., vol. xxxix. part ii. p. 228 ; part iii. pp. 61, 85, 159, 393 ; vol. xliii. part ii. p. 930 ; ser. ii. vol. vii. pp. 228 *et seq.*, 930 ; vol. viii. pp. 6, 89, 523, 543, 583, 587, 637, 638, 806, 897 ; ser. iii. vol. iv. pp. 482, 529, 577, 613, 1286 ; MS. War Department Archives, through the kindness of Brigadier-General Ainsworth, Chief, Record and Pension Office ; Nicolay and Hay, vol. viii. chap. i. ; Life of Morton, Foulke, vol. i. ; Captain Hines in *The Southern Bivouac*, Dec. 1886, Jan., Feb., April, 1887 ; Indiana Treason Trials, Pitman ; Indiana in the War of the Rebellion, Official Report of W. H. H. Terrell, Adjutant-General ; Life of Vallandigham,

Sadly disappointed at the failure of the Sons of Liberty to co-operate with them the Southerners who were in Canada determined on a series of operations independently of such adventitious aid. April 27, 1864 Jefferson Davis had given to Jacob Thompson these credentials: "Confiding special trust in your zeal, discretion, and patriotism, I hereby direct you to proceed at once to Canada, there to carry out such instructions as you have received from me verbally in such manner as shall seem most likely to conduce to the furtherance of the interests of the Confederate States of America which have been intrusted to you."<sup>1</sup> With Thompson were associated as fellow-commissioners C. C. Clay<sup>2</sup> and James P. Holcomb. The seizure of the *Chesapeake*, a merchant steamer plying between New York and Portland was made before Thompson arrived in Canada and, as it was a sporadic adventure, a consideration of it is not germane to my purpose.<sup>3</sup> The later Lake Erie enterprise, however, was carried on under his direction and had for its object the seizure of the war steamer *Michigan*, the only armed American vessel on the great lakes, and the release of the Confederate prisoners at Johnson's Island which was situated a mile or two inside the entrance of Sandusky Bay, an inlet of Lake Erie. At first Thompson's agent Captain Charles H. Cole thought that the officers of the *Michigan* could be corrupted with a large amount of money to deliver over to the Southerners their steamer but by degrees he satisfied himself that this was impossible and thereupon formed a plan to seize her by force. With the *Michigan*, which carried a battery of fourteen guns, in their

by his brother; Life of Stanton, Gorham, vol. ii. p. 148; 4 Wallace 2; my vol. iv. p. 248. "We are upon the very verge of civil war in Indiana."—Jones, A. A. Prov. M. G., Sept. 12, 1864 to Fry, O. R., ser. iii. vol. iv. p. 712.

<sup>1</sup> O. R., ser. iv. vol. iii. p. 322; Thomas H. Hines, p. 444. The references to Hines are in the volume of *The Southern Bivouac* hitherto cited.

<sup>2</sup> Clay was given a letter similar to Thompson's.

<sup>3</sup> For an account of this see Nicolay and Hay, vol. viii. p. 14.

possession, they deemed the capture of the island and the release of the prisoners feasible. This accomplished, Sandusky was to be taken, the prisoners were to be mounted and, with the *Michigan* co-operating they would proceed along the shore of the lake to Cleveland, march straight through Ohio to Wheeling and thence to Virginia. Before any move was made the plot was disclosed to the lieutenant-colonel commanding at Detroit who warned by telegraph the commander of the steamer *Michigan*; this information led to the arrest of Cole. Acting Master John Y. Beall, who had been detailed to assist in the enterprise received no word of this misadventure. He and twenty followers, embarking from two Canadian ports, took passage September 19, 1864 on the merchant steamer *Philo Parsons* which plied between Detroit and Sandusky. Some of the men were well dressed in English clothes; the garments of others were worn and ragged: these last the clerk set down as a lot of Ohio "skedaddlers" who had been "starved out" of Canada and were returning home. Their only baggage was "a large old-fashioned trunk tied up with ropes." The steamboat made her usual landings and shortly after leaving Kelley's Island Beall's party began with yells and threats enforced by drawn pistols to take possession of the boat. Opening the trunk which was filled with revolvers and large hatchets they drew these forth, fired a number of shots and brandished their hatchets, without however hurting anybody seriously. The crew and passengers were terrified and the Confederates were soon masters of the boat. Needing fuel they put about and steamed northward to Middle Bass Island, where the passengers were landed. The steamer *Island Queen*, which in the course of her daily trip had unsuspectingly come alongside to make her usual landing, was with more uproar and shooting taken possession of; her engineer though making no resistance was shot in the face. Towing

the *Island Queen* out into the lake they scuttled her and Beall then headed the *Parsons* for Sandusky Bay with the intention of attacking the steamer *Michigan*; but seventeen of his followers, seeing that it would be a foolhardy attempt, signed a protest against further action with the result that they all returned in the boat to the Detroit River and disembarked in Canada.<sup>1</sup>

Three months later (December 16, 1864) John Y. Beall was arrested in New York State near the Suspension Bridge over the Niagara River after an unsuccessful attempt to throw the eastward bound passenger train off the track in order to rob the express company. For this and a similar attempt between Dunkirk and Buffalo and for his seizure of the *Philo Parsons* and *Island Queen* he was tried by a military commission convened at Fort Lafayette and at New York City, was found guilty of "acting as a spy" and of "carrying on irregular or guerilla warfare against the United States" and was condemned to be hanged. Beall in defence of his act on Lake Erie produced a manifesto of Jefferson Davis which maintained that the enterprise for the capture of the *Michigan* "was a belligerent expedition ordered and undertaken under the authority of the Confederate States," the government of which assumed the "responsibility of answering for the acts of any of its officers engaged in it." Major-General Dix in reviewing the proceedings of the court said that "no such assumption can sanction an act not warranted by the laws of civilized warfare." Great efforts were made to save Beall's life. President Lincoln received fervent appeals but beyond suggesting to General Dix

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<sup>1</sup> My authorities for this account are reports of General Dix and Lieutenant-Colonel Hill with a number of telegrams and affidavits; O. R., vol. xliii, part ii, p. 225 *et seq.*, see also p. 128; Thompson to Benjamin, *ibid.*, p. 932; Hines, p. 699; Seward to Adams, Oct. 24, 1864, *Dip. Corr.*, 1864, part ii, p. 339; Nicolay and Hay, vol. viii, p. 18; J. D. Cox's *Military Reminiscences*, vol. ii.; see also O. R., ser. iv, vol. iii, p. 444.

a reprieve of six days he did nothing. On the 24th of February, 1865 Beall was hanged at Governor's Island.<sup>1</sup>

Lieutenant Bennett H. Young, receiving authorization (June 16, 1864) from the Confederate Secretary of War to organize a small company for special service,<sup>2</sup> told C. C. Clay, who was then residing temporarily at St. Catharines, Canada, that he purposed burning some towns in the New England States and robbing them "of whatever he could convert to the use of the Confederate government." "This," wrote Clay, "I approved as justifiable retaliation,"<sup>3</sup> and he gave Young \$400 for his expenses and a memorandum authorizing plainly his first proposed expedition.<sup>4</sup> On October 19, 1864 Young and a party of about twenty-five<sup>5</sup> Confederate soldiers well armed but not in Confederate uniform or carrying a Confederate flag descended upon St. Albans, Vermont, a village about fifteen miles from the Canadian frontier and, taking forcible possession of a part of it, attempted to burn the village. Young "would have succeeded" writes Clay, "but for the failure of the chemical preparations with which he was armed."<sup>6</sup> Proclaiming that they were Confederate soldiers bent on retaliation for the

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<sup>1</sup> My authorities for this account are: O. R., ser. ii. vol. viii. pp. 279, 398; Nicolay and Hay, vol. viii. p. 19; Hines, p. 700. The manifesto of J. Davis was dated Dec. 24, 1864, and published in the *New York Times*, Jan. 1, 1865. See Callahan's *Diplomatic History*, p. 235, note 3.

<sup>2</sup> O. R., ser. iv. vol. iii. p. 491; the St. Albans Raid, L. N. Benjamin, Montreal (1865), pp. 80, 292. Young was with Hines at Chicago in August. Hines, p. 572.

<sup>3</sup> To Benjamin, Nov. 1, 1864, O. R., vol. xlivi. part ii. p. 915. This letter is not signed but the internal evidence shows plainly that it was written by Clay. Were confirmation needed external circumstances confirm it. Appleton's Annual Cyclopædia, 1865, p. 323; Callahan's *Diplomatic History*, p. 235; *New York Times*, Feb. 19, 1865; *History of St. Albans Raid*, Sowles, p. 22.

<sup>4</sup> St. Albans Raid, Benjamin, pp. 213, 294; Appleton's Annual Cyclopædia, 1865, p. 323.

<sup>5</sup> Twenty to fifty according to Sowles. <sup>6</sup> O. R., vol. xlivi. part ii. p. 915.

operations of Sheridan in the Shenandoah Valley, Young and his men robbed three banks of over \$200,000, fired upon a party of citizens wounding one of them mortally and another seriously, then seized a number of horses and rode rapidly away. All this took less than half an hour. "The citizens were utterly paralyzed by the boldness and suddenness of the attack;"<sup>1</sup> but when they had recovered from their surprise an ex-captain of volunteers organized a party of mounted citizens and started in pursuit. They overtook the robbers only after they had crossed the border; but in Canada they and the Canadian bailiffs or police arrested Young and twelve others. Those taken by the Americans were turned over to the Canadian authorities and they were all lodged in jail. About \$75,000 of the money was recovered.<sup>2</sup>

The seizure of the boats on Lake Erie and the St. Albans attack caused great alarm and apprehension lest other operations of the same sort should be set on foot. Rumours of similar attempts were easily credited. In the New England frontier towns the feeling for a few days verged on panic. People in the lake cities were anxious for the safety of their homes; vessel owners and business men feared that an armed cruiser might be fitted out to prey upon the inland commerce. Canada was condemned for permitting her soil to be made the base of such operations.<sup>3</sup> The convention of 1817 with Great Britain limited the naval force of each of the two powers on the great lakes to three armed

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<sup>1</sup> Major Austine, O. R., vol. xlili. part ii. p. 455.

<sup>2</sup> Ibid., vol. xlili. part ii. pp. 420, 423, 435, 436, 455; History of St. Albans Raid, Sowles; St. Albans Raid, Benjamin; Appleton's Annual Cyclopædia, 1864, p. 807.

<sup>3</sup> Many of the authorities hitherto cited: History of the St. Albans Raid, Sowles, p. 19; Chandler in the Senate, Dec. 14, 1864; Callahan, American Historical Association, 1896, vol. i. p. 352; O. R., vol. xlili. part ii. p. 934; vol. xlv. part ii. p. 167. I myself have a vivid remembrance of the alarm at Cleveland.

vessels but at this time the United States had on these lakes only one in commission, the *Michigan*, although her armament was heavier than stipulated in the agreement. Seward now instructed Adams to give Earl Russell notice that at the end of six months as provided by the convention the United States "will deem themselves at liberty to increase the naval armament upon the lakes if in their judgment the condition of affairs shall then require it."<sup>1</sup> Congress authorized the construction of six steam revenue cutters for service on the lakes.<sup>2</sup> But on March 8, 1865 in view of the approaching end of the war and the friendly disposition of England and Canada, Seward advised Adams that the United States were willing that the convention should remain practically in force; the English government also decided to abide by the arrangement of 1817 — an arrangement which has continued in force to this day (1902).<sup>3</sup>

Although Jefferson Davis's manifesto of December 24, 1864 was issued especially for the protection of Bennet G. Burley, whom Seward had called a "pirate" because of his participation in the seizure of the *Philo Parsons* the Chief Justice of the Queen's Bench of Upper Canada who had sitting with him at Toronto "the learned Chief Justice of the Common Pleas" and two other judges besides, decided, after a full consideration of Burley's case, that he should be extradited to the United States. Escape from prison after he had been surrendered prevented his trial and punishment. In the case of the St. Albans raiders who were imprisoned in Can-

<sup>1</sup> Oct. 24, 1864, Dip. Corr., part ii. p. 341.

<sup>2</sup> Dec. 20, 1864.

<sup>3</sup> Message and Documents, State Department, 1865-1866, pp. 197, 298; Letter from Chief Clerk of the Navy Department, Nov. 22, 1902. As early as Dec. 27, 1864, Seward wrote Adams: "The Canadian authorities have become watchful, active and diligent, and raids and alarms upon the frontier have suddenly ceased." — Message and Documents, State Department, 1865-1866, vol. i. p. 69.

ada, the executive officers of that colony showed, on their own initiative enforced by instructions from the home government a disposition to bring the criminals to justice either by extradition to the United States, or, if that were legally impossible, by trial for the infraction of Canadian law; but the courts hampered by technicalities became involved in narrow constructions and failed to carry out the intent of the executive. Judge Coursol of Montreal before whom the prisoners were first arraigned, discharged them for want of jurisdiction and ordered that the money which had been taken from them and was in the hands of the Canadian police should be restored to their agent.<sup>1</sup> In England this action was generally disapproved and the St. Albans "outrage" itself unequivocally condemned. The *Times*, which had sympathized warmly with the South, said in a leader which according to Adams bore "evident marks of authority": "The outrage . . . was of the foulest description. It had nothing in it of the nature of war but was really robbery and murder striving to shelter itself under that all-atonning name. The success of a hundred such outrages as the St. Albans raid could not by any possibility have influenced in the slightest degree the result of the American civil war. It is not by plundering banks . . . that the destinies of great nations struggling for existence or independence are to be decided."<sup>2</sup> Earl Russell, in a formal letter to Mason, Slidell and Mann, protested against the attack on the *Philo Parsons* and *Island Queen* and the raid at St. Albans as showing "a gross disregard of her Majesty's character as a neutral power."<sup>3</sup> Judge Coursol was suspended from office by the Canadian parliament. Five of the criminals were rearrested but were again discharged by Justice Smith

<sup>1</sup> St. Albans Raid, Benjamin, p. 123; History of St. Albans Raid, Sowles, pp. 31, 32.

<sup>2</sup> Message and Documents, State Department, 1865-1866, part i. p. 77.

<sup>3</sup> Feb. 13, 1865, *ibid.*, p. 177.

also of Montreal who held that inasmuch as Young had a commission from the Confederate Secretary of War and his enterprise had been authorized by C. C. Clay it was a belligerent act.<sup>1</sup> Again they were immediately arrested and taken to Toronto for trial but the proceedings dragged along until the end of the war when interest in the prosecution of the offenders was lost. None of them was ever punished. The Canadian government however refunded to the St. Albans banks the money given up to the raiders on the order of Judge Coursol.<sup>2</sup>

Despite the abandonment of the project in August, the Confederates in Canada did not give up the hope of rescuing the prisoners at Camp Douglas, and the night of election day (November 8, 1864) which was expected to be one of excitement was fixed upon for the undertaking. The United States government authorities were well supplied with information. "The bane and curse of carrying out anything in this country [Canada]," complained Thompson, "is the surveillance under which we act. Detectives, or those ready to give information, stand at every street corner. Two or three cannot interchange ideas without a reporter."<sup>3</sup> The colonel commanding at Chicago, B. J. Sweet, was keeping a sharp lookout. On November 6, he wrote to his superior officer: "The city is filling up with suspicious characters some of whom we know to be escaped prisoners and others who were here from Canada during

<sup>1</sup> This decision was given March 29, 1865. St. Albans Raid, Benjamin, p. 447.

<sup>2</sup> In April, 1865 \$19,000 in gold was paid to the First National Bank, \$20,000 in gold to the St. Albans Bank; \$31,000 of their own bills to the Franklin Co. Bank. History of the St. Albans Raid, Sowles, p. 34.

My authorities for this account are: Appleton's American Cyclopædia, 1864, p. 361; 1865, pp. 127, 322; Dip. Corr., 1864, part ii. p. 341; Message and Documents, State Department, 1865-1866, part i. pp. 49, 69, 91, 99, 105, 176, 303; St. Albans Raid, Benjamin, *passim*; History of St. Albans Raid, Sowles, *passim*; Nicolay and Hay, vol. viii. p. 24; O. R., vol. xlvi. part iii. p. 331.

<sup>3</sup> Dec. 3, 1864, O. R., vol. xliii. part ii. p. 934.

the Chicago convention, plotting to release the prisoners of war at Camp Douglas.”<sup>1</sup> According to Sweet’s report the Confederates in conjunction with the Sons of Liberty had hoped to assemble a larger force than “the little garrison” guarding 8000 or 9000 prisoners; then they had proposed to attack the camp, release and arm the prisoners, “cut the telegraph wires, burn the railroad depots, seize the banks and stores containing arms and ammunition, take possession of the city and commence a campaign for the release of other prisoners of war in Illinois and Indiana.”<sup>2</sup> It is hardly possible that any such plan could have been carried out;<sup>3</sup> it would have failed like the preceding one in August. Nevertheless the information which Sweet possessed and the memory of the *Philo Parsons* and the St. Albans raid justified him in his prompt and arbitrary action. On the night of November 6 he arrested Colonel St. Leger Grenfell, an English soldier who was one of the conspirators, Colonel Vincent Marmaduke and three other Confederates and two prominent Sons of Liberty. Later he arrested seven more Sons of Liberty and seized a quantity of arms and ammunition.<sup>4</sup> Three Confederates, three Sons of Liberty and Grenfell were tried by a military commission which began its sessions in January, 1865. Two were acquitted, one escaped from confinement, one committed suicide in prison,<sup>5</sup> one was sentenced to the penitentiary for three years, another for five, and Grenfell was condemned to death. In accordance with the suggestion of the judge-advocate-general, President Johnson commuted Grenfell’s sen-

<sup>1</sup> O. R., vol. xxxix. part iii. p. 678.

<sup>2</sup> Nov. 23, 1864, ibid., vol. xlv. part i. p. 1078.

<sup>3</sup> See Hooker, Nov. 7, ibid., vol. xxxix. part iii. p. 695.

<sup>4</sup> Ibid., pp. 696, 739; vol. xlv. part i. pp. 1079, 1082; for the arms and ammunition seized see p. 1081.

<sup>5</sup> Anderson, name appearing in the report of the trial, but not in the report of the arrests.

tence to imprisonment for life at the Dry Tortugas, Florida whence he escaped in 1868.<sup>1</sup>

Although Thompson did not know of the raid on St. Albans he was busy with other schemes. "I advanced to a Mr. Minor Major \$2000 in Federal currency," he wrote, "and soon afterwards several boats were burned at St. Louis involving an immense loss of property to the enemy. . . . Money has been advanced to Mr. Churchill of Cincinnati to organize a corps for the purpose of incendiaryism in that city." But the grand scheme was directed against the metropolis. "Having nothing else on hand," Thompson continues, "Colonel Martin expressed a wish to organize a corps to burn New York City. He was allowed to do so and a most daring attempt has been made to fire that city."<sup>2</sup> Eight men were detailed for this service and the time fixed upon was the night of election day (November 8, 1864) but as the phosphorus was not ready the work was postponed until seventeen days later. On the evening of November 25, the Astor House, the St. Nicholas, Metropolitan, Fifth Avenue and seven other hotels and Barnum's Museum were set on fire by the use of phosphorus and turpentine, the fires breaking out in quick succession. Happily, they were soon extinguished owing to the alertness of the hotel employees. But trifling damage was done at Barnum's Museum although the cry of fire produced consternation in the theatre where a dramatic performance was going on. A like alarm was given in Winter Garden, a theatre adjoining the Lafarge House (one of the hotels fired) and it was only by the presence of mind of Edwin Booth who was playing Brutus in "*Julius Cæsar*," and by the efforts of two officials that a panic was prevented.<sup>3</sup> At

<sup>1</sup> O. R., ser. ii. vol. viii. pp. 502, 644, 684, 724, 928. The commutation was made July 22, 1865.

<sup>2</sup> Ibid., vol. xliv. part ii. p. 934.

<sup>3</sup> Edwin was supported by his two brothers, Junius Brutus playing Cas-  
sius and John Wilkes, Mark Antony.

Niblo's Garden, a theatre back of the Metropolitan Hotel where an audience of about 3000 were seeing a play, the cry of fire caused momentarily "a scene of terror."<sup>1</sup> The incendiaries thought that the fires breaking out almost simultaneously would paralyze the fire department and thus a large amount of property would be destroyed. It was not their aim, though confessedly it would be a certain result of their success that the lives of many women and children, as well as of men who were non-combatants would be sacrificed. To realize the fiendishness of this attempt the imagination must multiply the horror of a fire at night in a crowded theatre and a crowded hotel.<sup>2</sup>

The words of Thompson can be construed only as a lament for the failure of his emissaries. "Their reliance on the Greek fire has proved a misfortune," he wrote. "It cannot be depended on as an agent in such work. I have no faith whatever in it and no attempt shall hereafter be made under my general directions with any such materials."<sup>3</sup>

Kennedy who had set fire to Barnum's Museum and three of the hotels escaped to Canada but afterwards as he was going to Detroit on his way South he was arrested and sent to New York to be tried by a military commission. He was found guilty and was hanged March 25, 1865 at Fort Lafayette.<sup>4</sup>

The capture of the *Philo Parsons*, the raid on St. Albans, the attempt to fire New York City were all acts of irregular warfare; but the leaders in the capture of the *Philo Parsons* intended to attack an armed steamer and fight a military force: that circumstance

<sup>1</sup> *New York World*, Nov. 28. This journal estimated the audience at Barnum's at 2500, at Winter Garden, 3000, estimates probably too high.

<sup>2</sup> See General Orders Nos. 92, 93 of General Dix, *New York Tribune*, Nov. 26; his review of the "atrocities," O. R., ser. ii. vol. viii. p. 415; confession of Kennedy, *ibid.*, p. 428. *New York Tribune, Herald, World*, Nov. 26, 28.

<sup>3</sup> O. R., vol. xliv. part ii. p. 934.

<sup>4</sup> *Ibid.*, ser. ii. vol. viii. p. 414, also p. 428.

takes it morally out of the class of the other two. It is comprehensible that Jefferson Davis in order to prevent the extradition and save the life of one of the leaders should have assumed the responsibility of this venture; but he withheld an avowal of the act of the St. Albans raiders.<sup>1</sup>

Jacob Thompson has forever blackened his reputation by his letter of December 3, 1864.<sup>2</sup> That letter was written to "J. P. Benjamin, Secretary of State" and has his indorsement of its receipt.<sup>3</sup> He apparently became a participator in the enterprise from being the recipient of secret information concerning it: this in connection with the traditions of his character, South and North leads one to the conclusion that Benjamin sympathized with all these projects of Thompson's. It would certainly be a surprise to ascertain that he had ever sent the Confederate commissioner a word of rebuke. The relations between Davis and Benjamin were confidential but it is inconceivable that Davis would have authorized the St. Albans raid or the attempt to burn New York City. Nevertheless it is for his sake an occasion of regret that the instructions he gave Thompson were verbal,<sup>4</sup> and not a matter of record. Thompson could hardly have obtained his money without an express order of the President of the Confederacy and that he was well supplied with funds for such secret service is evident from his report. "Including the money turned over to Mr. Clay [\$93,614]," he wrote,

<sup>1</sup> The St. Albans Raid, Benjamin, pp. 214, 296, 302, 325.

<sup>2</sup> The one which has been frequently cited.

<sup>3</sup> C. C. Clay's letter of Nov. 1 was also written to Benjamin.

<sup>4</sup> Hines, p. 444. April 14, 1864, thirteen days before the instructions to Thompson, Davis wrote R. M. T. Hunter thus: "I have made attempts to engage for the service in Canada several gentlemen deemed competent but they have declined for various reasons. The subject is too delicate to permit my entering into details until I have the pleasure of seeing you. I confine myself to saying that two persons specially qualified are now on their way here from the south and I have reason to hope they will depart on the duty intrusted to them in a few days."—O. R., ser. iv. vol. iii. p. 304.

"all of which he has not yet expended, the entire expenditures as yet on all accounts is about \$300,000. I still hold three drafts for \$100,000 each, which have not been collected."<sup>1</sup>

From every point of view the "robbery and murder" at St. Albans and the attempted arson in New York are dark episodes in the last desperate months of the Southern Confederacy.

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<sup>1</sup> O. R., vol. xliii. part ii. p. 935.

## CHAPTER XXVIII

It is now my purpose to treat of society at the South in somewhat the same manner as I have surveyed society at the North. The conditions are more novel for the community was cut off from intercourse with the outer world except through evasion of the blockade, through disregard of statutes and regulations and by the tacit consent of each side to let some trading go on in violation of the general principle that should govern warring powers. Life was different from that in most civilized communities on account of the deprivation of luxuries and of many necessities that make up the comfort of living and add to the joy of the round of days. The common things of aforetime became exceptional. Much of the work and many of the amusements which attend life in modern society were perforce given up. Unfortunately my mode of treatment (which seems all things considered the only one practicable) involves repetition inasmuch as my theme is for later years the same that I have already treated so far as it related to the year 1861.<sup>1</sup> Thus the appearance of facts similar to those already recited in the prologue will seem something like a twice-told tale, and interest in the unfolding of events will be lessened for the reason that owing to the necessities of the narrative, the catastrophe has already been told.<sup>2</sup> Yet I hope that the novelty of the scene will warrant its recurrence.

The financial legislation of the Southern Confederacy has been so well treated by Professor Schwab,<sup>3</sup> that I shall touch upon it only in a general way. Owing to

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<sup>1</sup> See vol. iii. p. 543 *et seq.*

<sup>2</sup> *Ante*, chaps. xxv., xxvi.

<sup>3</sup> The Confederate States of America.

the stringency of the blockade the revenue derived from the export duty on cotton<sup>1</sup> and from duties on imports<sup>2</sup> was inconsiderable. No large amount of money was raised by internal taxation.<sup>3</sup> The Confederacy was practically supported, so far as its strictly defined financial operations were concerned, by the issue of paper money and from the proceeds of bonds which were paid for in the paper currency; in this medium the holders of the bonds received their interest. An attempt to maintain specie payments would have been futile: \$27,000,000 is an outside estimate of the receipts in specie of the Confederate government during its life of four years.<sup>4</sup> As between the notes and the bonds the people had a distinct preference for the notes which could be used as currency. The owners of what capital there was did not care to put it into bonds. The government issued interest-bearing notes hoping that they would be held as an investment but they went instead into circulation. A disproportionate part of the debt of the Confederacy existed in this so-called paper money which passed from hand to hand.<sup>5</sup> Before the end of 1863, \$700,000,000 of Treasury notes were in circulation, and this amount was increased during the next year to \$1,000,000,000 but the issues grew so enormously that apparently no exact account of them was made public; it is even possible that the Treasury Department itself did not know the amount afloat.<sup>6</sup> But this was not the extent of the infla-

<sup>1</sup> Estimated by Schwab as equivalent to perhaps \$6000 in specie during the war, p. 240.

<sup>2</sup> From the beginning of the war to Sept. 30, 1864, equal to perhaps \$1,000,000 in specie. Schwab, p. 242.

<sup>3</sup> Schwab, pp. 18, 77, chap. xiii.

<sup>4</sup> Ibid., p. 43.

<sup>5</sup> Of the receipts for the first year 76% came from Treasury notes, 22% from bonds; the second year the proportion was 85% to 9%. In July, 1861, notes formed 10% of the Confederate debt, in December, 1862, 82%. Schwab, pp. 18, 24, 44.

<sup>6</sup> Ibid., pp. 67, 165. But see Davis's Confederate Government, vol. i. p. 493. The maximum amount of United States greenbacks outstanding was \$432,687,966, my vol. iv. p. 428, note 3.

tion of the currency. The different States issued State treasury notes, the banks expanded their circulation, Richmond, Charleston and other cities put out municipal treasury bills; railroad, turnpike and insurance companies, factories and saving-banks added to the mass of paper money. A large part of this municipal and corporation paper was issued in denominations below one dollar to supply the need for small change caused by the disappearance of fractional silver.<sup>1</sup> In North Carolina tenpenny nails passed current at five cents apiece.<sup>2</sup> At times postage stamps circulated.<sup>3</sup> Tobacconists, grocers, barbers, innkeepers and milk dealers put out shinplasters.<sup>4</sup> In 1862 the Confederate government began the issue of one-dollar and two-dollar bills and of fractional amounts under one dollar. It was a carnival of fiat money.

Early in 1864 it was conceded that something must be done to contract the currency. The financial history of the American Revolution and the French Revolution repeated itself on February 17 of that year in a measure of virtual repudiation. This was a provision for the compulsory funding of the notes into four per cent. bonds; if the bonds were not taken all notes of the denominations under one hundred dollars might be exchanged for new ones in the ratio of three dollars of old money for two dollars of the new. If neither exchange was made the old notes were to be taxed out of existence.<sup>5</sup> This was really a confession of bankruptcy by the Confederate Congress and the President: the financial situation was hopeless unless independence could be won.

But long before things came to this pass an effort had been made to stave off the inevitable by a system of produce loans, the exchange of Confederate bonds for

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<sup>1</sup> Schwab, pp. 133, 149 *et seq.*, 153 *et seq.*   <sup>2</sup> Ibid., p. 164.   <sup>3</sup> Ibid., p. 163.

<sup>4</sup> Ibid., p. 156; Richmond *Dispatch*, Jan. 18, 1862; New Orleans *Daily Delta*, May 7, 11, 1862.

<sup>5</sup> Schwab, p. 64; *Statutes at Large C. S. A.*, chap. lxiii.

cotton, tobacco and articles of food. A large amount of cotton was obtained in this way but the resource was exhausted before the beginning of 1863. Some of the States went into a similar business and at least one of them, Texas, offered the planters greater inducements than the Confederate government.<sup>1</sup> But the continued inflation of the currency made property more desirable than money and the planters preferred to hold their cotton rather than to part with it in exchange for Confederate bonds or even Treasury notes. The preference for notes over bonds grew constantly as they could be used in the purchase of commodities, and in speculation. The steady enhancement of prices was in great part due to the desire of traders to exchange a depreciating currency for articles of real value.<sup>2</sup>

The people of the South recognized the superior resources of the North by accepting readily in trade United States greenbacks. They were quoted in Richmond and might be seen in the brokers' offices.<sup>3</sup> Naturally the circulation of the enemy's money might be construed as a reflection on the management of the Confederate Secretary of the Treasury or as an indication that the North was better off than the South in

<sup>1</sup> The governor of Mississippi to his Legislature, Dec. 20, 1862 : "Treasury notes to the full amount authorized by the Legislature at its last session have been advanced on cotton. This act for the relief of the people and for supplying a sound circulating medium for the State has accomplished all that its most sanguine friends expected." — O. R., ser. iv. vol. ii. p. 251. Lieutenant-Colonel Broadwell to General E. Kirby Smith, April 4, 1864 : The execution of the plans of the Governor of Texas "will inaugurate a system of speculation, rascality and swindling without any parallel in the history of this war." Smith to Governor of Texas, April 5 : "The system inaugurated by your agents has already completely paralyzed the efforts of my officers to purchase." — O. R., vol. xxxiv. part iii. pp. 731, 734; see also p. 821. At this time the Confederate Cotton Bureau was obviously offering greater inducements for cotton than bonds. See also ibid., part ii. p. 1105; vol. lii. part ii. p. 507; vol. liii. p. 1010.

<sup>2</sup> Schwab, pp. 12, 13, 16, 21, 25, 26, 27; Richmond *Examiner*, Oct. 22, 1862; Richmond *Enquirer*, Aug. 20, 1863.

<sup>3</sup> Schwab, p. 161; Richmond *Dispatch*, March 25, 1863, *Examiner*, March 26, Dec. 17, 1863, Jan. 4, 1864.

the sinews of war. It attracted public attention and gave rise to an act of Congress which prohibited dealing in the paper currency of the United States, although the law was not to apply to persons acting in behalf of the government or to the purchase of postage stamps.<sup>1</sup> The authorities undoubtedly made considerable use of this money obtaining most if not all of it from the sale of cotton and tobacco which was sent to the North.<sup>2</sup> Another symptom of the debasement of the Confederate currency was the resort to barter. Manufacturers and merchants advertised in the newspapers offering their goods in exchange for farm and other products.<sup>3</sup> To obtain supplies for the army, wrote Secretary of War Seddon to Lee on March 29, 1864, we must not "recur to the most expensive and mischievous of all modes—the issue of a redundant currency. . . . I expect to introduce and rely upon to a considerable extent a system of barter."<sup>4</sup> From the most western State of the Confederacy and the one having the largest capacity for the production of food and cotton came this intelligence in a letter of General E. Kirby Smith: "Confederate money is utterly valueless in western Texas. Gold and silver are the only circulating medium and the tide of specie currency is already washing the shores of Red River [Louisiana]. All trade is made for coin or barter."<sup>5</sup>

<sup>1</sup> Approved, Feb. 6, 1864. Statutes at Large C. S. A.; Schwab, p. 161; Jones's Diary, vol. i. p. 272.

<sup>2</sup> Schwab, p. 162; O. R., vol. xlvi. part ii. p. 1297; vol. xlix. part ii. p. 1254. "Richmond, Va., June 8, 1864. The Commissary-General is authorized to purchase the paper currency of the United States for the use of his office as occasion may require. By order of the Secretary of War, J. A. Campbell, Ass't Sec'y of War."—O. R., ser. iv. vol. iii. p. 477.

<sup>3</sup> Charleston *Courier*, Oct. 24, Dec. 12, 16, 1863; Richmond *Examiner*, June 16, 1864 advertisement continuing for three months; Augusta *Chronicle*, March 3, 4, Sept. 11, 1864.

<sup>4</sup> O. R., ser. iv. vol. iii. p. 255; see Mobile *Advertiser and Register*, Jan. 1, 1865.

<sup>5</sup> Dec. 13, 1864, O. R., vol. xli. part iv. p. 1109. "Southern civilization . . . after centuries of money exchanges brought Anglo-Saxon Americans

A tithe of the agricultural produce was one of the expedients of 1863 and seems to have been a fairly effective measure. During the productive season of 1864 it is estimated that it brought in enough food to feed for a month a million soldiers. But it was a burden on the farmers and caused dissatisfaction which in North Carolina found expression in resolutions of protest at a number of public meetings. "Willing to pay any reasonable tax in money," these farmers objected to contributing their produce.<sup>1</sup>

An isolated country, making a stubborn resistance to a nation with a superior military and naval force and superior resources in general was cursed with a redundant and irredeemable currency. Of the evils produced by the clipped silver in the last part of the seventeenth century Macaulay wrote: "It may well be doubted whether all the misery which had been inflicted on the English nation in a quarter of a century by bad kings, bad ministers, bad parliaments and bad judges was equal to the misery caused in a single year by bad crowns and bad shillings."<sup>2</sup> Like all strong general averments this probably overstates the case but applying the true principle which it embodies to the state of affairs at the South it emphasizes what a burden were the bad dollars in the small concerns of domestic life as well as in the large affairs of State. The governors of England called in counsel Newton and Locke in order that a remedy might be devised for the confusion which perplexed all money transactions. The South

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back to plain barter in their market-places." — W. G. Brown, *The Lower South in American History*, p. 175. See also *Led On*, A. Toomer Porter, p. 185; *A Rebel's Recollections*, Eggleston, pp. 93, 104; *Charleston Courier*, Sept. 12, 1863.

<sup>1</sup> Schwab, p. 292 *et seq.*; O. R., ser. iv. vol. iii. pp. 535, 572, 574, 800, 816; Appleton's Annual Cyclopædia, 1863, p. 691. The law was approved April 24, 1863, Statutes at Large. Its provisions were afterwards relaxed and as re-enacted in 1864 it was milder than the original measure.

<sup>2</sup> *History of England*, chap. xxi. See also *Life of Locke*, Fowler, p. 85.

had neither a Newton nor a Locke but their combined genius would not have availed to place the currency of the Southern Confederacy on a stable basis. Without military success in the field great and persistent enough to compel the recognition of her independence by the North or by Europe her financial affairs were doomed to inextricable confusion.

Accompanying the redundant currency were apparent high prices. Contemporary and later writings are full of the subject evidencing the impression made on the mind by the advance in these measures of daily comforts and conveniences. Mrs. Jefferson Davis drawing from her own domestic experience and from private diaries has presented many of the facts in an interesting manner. In July, 1862 when gold was worth \$1.50 beef and mutton sold in Richmond for  $37\frac{1}{2}$  cents a pound, potatoes \$6 a bushel, tea \$5 a pound and boots \$25 per pair. In the early part of 1864 when \$1 in gold brought \$22 in Confederate money she reports the price of a turkey as \$60, flour \$300 per barrel and in July of that year shoes \$150 per pair. As a curious document she prints the bill of fare with prices annexed of the Oriental Restaurant, Richmond, for January 17, 1864 and adds the actual bill for a dinner partaken of that day by nine men the amount of which was \$631.50; though the repast was in itself nothing out of the common. Mrs. Davis calls the convives "poor Confederates" but their fare including soup, venison steak and potatoes, birds and celery with madeira, claret, coffee and cigars, was luxurious compared with that of the commander of the Army of Northern Virginia. In the spring of 1864 General Lee had meat twice weekly but his more usual dinner was "a head of cabbage boiled in salt water, sweet potatoes and a pone of corn-bread." On one of the meagre days his servant in honour of an officer who was dining with his master borrowed a piece of middling (a certain part

of the hog) which however was so small that all out of politeness refused the bit of flesh.

Gold increased steadily in value and most articles of consumption followed until the extravagant prices were reached which I have noted as prevailing in the last days of the Confederacy.<sup>1</sup> That money was cheap rather than articles of food dear is signified by the experiences of two Englishmen. Lieutenant-Colonel Freemantle was at Charleston in June, 1863 and wrote that the fare was good at the Charleston Hotel, the charge being \$8 a day, equivalent to but little over \$1 in gold.<sup>2</sup> Another sojourning at the best hotel in Richmond in January, 1864 remarked that he had "never lived so cheaply in any country." It is true that he paid \$20 per day but that was equal to only three shillings of his own money.<sup>3</sup> Professor Gildersleeve who to use his own words, went from his "books to the front" is of the impression that for those who had gold "Richmond was a paradise of good and cheap living during the war."<sup>4</sup> The men engaged in blockade-running made money with ease and spent it freely. One of them affirms that in Richmond they "managed to live in comparative comfort and at times even fared sumptuously." He gave a dinner of fourteen to a few heads of departments the bill for which was somewhat over \$5000, the champagne costing \$150 a bottle, the madeira \$120 and the viands in proportion.<sup>5</sup>

<sup>1</sup> *Ante*, p. 60; Memoir of J. Davis by his wife, vol. ii. p. 526 *et seq.*; Schwab, p. 172 *et seq.* and Appendix I; Appleton's Annual Cyclopaedia, 1862, p. 252; Richmond *Examiner*, March 13, 1863; Charleston *Courier*, June 19, Sept. 17, 1863, July 26, 1864; Richmond *Whig*, Oct. 21, 1864. Jones's Diary has many lists of prices, see especially vol. ii. pp. 148, 153, 170; also Reconstruction in Mississippi, Garner, p. 49; A Southern Planter, Smedes, p. 224. In regard to the fare of General Lee see Mrs. Davis, p. 532; Jones's Diary, vol. ii. p. 194; Personal Reminiscences of Lee, Jones, pp. 169, 171.

<sup>2</sup> Three Months in the Southern States, p. 180.

<sup>3</sup> Jones's Diary, vol. ii. p. 125.

<sup>4</sup> *Atlantic Monthly*, Sept. 1897, pp. 336, 340.

<sup>5</sup> Running the Blockade, Taylor, p. 138; see account of an expensive feast given by some English officers, Richmond *Enquirer*, Nov. 14, 15, 1864.

The majority however suffered privations. Luxuries soon had to be given up, then many necessaries. No deprivation was felt so keenly as the lack of tea and coffee. "Tea is beyond the reach of all save the most opulent," said the Charleston *Courier* in April, 1862. "I have not tasted coffee or tea for more than a year" is an entry of Jones February 4, 1864. Rich people even abstained from the use of tea in order that the small supply might be saved for the drink of those who were ill.<sup>1</sup> The hospitals procured coffee for a while but on December 2, 1863 the surgeon-general ordered its discontinuance "as an article of diet for the sick. In consequence of the very limited supply," he added, "it is essential that it be used solely for its medicinal effects as a stimulant."<sup>2</sup> People resorted to all kinds of substitutes. Parched rye, wheat, corn, sweet potatoes, chestnuts, peanuts, chicory and cotton seed took the place of the Arabian berry but all agreed "that there was nothing coffee but coffee." For tea a decoction of dried currant, blackberry and sage leaves, of sassafras root or blossoms was drunk<sup>3</sup> and some tried to make themselves believe that the substitute was as good as the tea of China. Freemantle during his travels through the South tasted no tea from April 6 to June 17, 1863 when some "uncommonly good" was offered him at the house of President Davis.<sup>4</sup> Coal and wood were scarce in the winter and ice in the summer. Sick soldiers in Augusta were perishing for the want of ice.<sup>5</sup> In Columbia it was sold only for the sick and on a physician's certificate.<sup>6</sup> Towards the end

<sup>1</sup> *Charleston Courier*, April 2, 1862.

<sup>2</sup> O. R., ser. iv. vol. ii. p. 1021.

<sup>3</sup> *Richmond Whig*, July 14, 1862, April 7, 1863; *Charleston Courier*, Jan. 21, April 2, Oct. 22, 1862, Sept. 2, 1864; *Richmond Dispatch*, April 7, 1862; *Richmond Whig*, Oct. 17, 1862; Mrs. Davis, vol. ii. p. 527; Richmond during the War, Sarah A. Putnam, p. 79; Gildersleeve, *Atlantic Monthly*, Sept. 1897, pp. 340, 342; Curry's Civil History Confederate States, p. 170.

<sup>4</sup> *Three Months in the Southern States*, p. 211.

<sup>5</sup> *Charleston Courier*, May 31, 1862.

<sup>6</sup> *Richmond Dispatch*, July 25, 1862.

of the war Porter heard a little child stricken with yellow fever in Charleston pleading for ice, but there was none to be had.<sup>1</sup> Freemantle travelling from Brownsville, Texas through the Southern Confederacy found none until he reached Richmond.<sup>2</sup> In 1862 may be noted a scarcity of salt and anxiety as to a future supply, especially for the army, as salt meat was so large a part of the army ration. The governor of Mississippi wrote to Davis that "the destitution of salt is alarming" and the governor of Alabama in a letter to the Secretary of War said, "The salt famine in our land is most lamentable."<sup>3</sup> The "earthen floors of smoke-houses, saturated by the dripping of bacon were dug up and boiled"<sup>4</sup> that no salty material might be left unused. Sea-water was to a large extent utilized to provide for this deficiency but a more valuable source of supply was the saline springs of southwestern Virginia. The commonwealth of Virginia embarked in the manufacture of salt and made regulations for its distribution to the public. Other States followed her example and this want was in some measure met.<sup>5</sup> Common medicines disappeared, causing great distress. The medical purveyor at Richmond appealed to the ladies of Virginia to cultivate the poppy so that opium might be had for the sick and wounded of the army.<sup>6</sup> Many articles were popularly suggested to take the place of quinine and other medicines.<sup>7</sup> The surgeon-general sent out officially a formula for a compound tincture of dried dogwood, poplar and willow

<sup>1</sup> *Led On, A.* Toomer Porter, p. 149.

<sup>2</sup> Three Months in the Southern States, p. 207. July 28, 1863 it sold however for \$16 per bushel, Richmond *Enquirer*. August 11, the Richmond *Whig* said that the supply was nearly exhausted.

<sup>3</sup> O. R., vol. iii. part ii. p. 384.

<sup>4</sup> Curry's Civil History, p. 171; Diary of a Union Woman in the South, *Century Magazine*, Oct. 1880, p. 945.

<sup>5</sup> Schwab, p. 267; Richmond *Whig*, Jan. 31, May 15, Oct. 21, Dec. 5, 1862; Charleston *Courier*, Dec. 16, 1862; O. R., ser. iv. vol. ii. p. 250.

<sup>6</sup> Richmond *Whig*, April 1, 1863.

<sup>7</sup> *Ibid.*, Oct. 28, 1862, April 24, 1863.

bark and whiskey "to be issued as a tonic and febrifuge and substitute as far as practicable for quinine."<sup>1</sup> Quinine and morphia were, as we have seen, articles greatly desired in the trade with the North. All possible means were used to obtain these and other drugs, a large amount of smuggling at one time having been carried on from Cincinnati by men and women devoted to the Confederate cause.<sup>2</sup> In October, 1862, when General Sherman was in command at Memphis an imposing funeral headed by a handsome city hearse with pall and plumes was allowed by the guards to pass through the Union lines: the coffin which was borne by the hearse contained a lot of well-selected medicines for the Confederate army.<sup>3</sup> A large doll filled with quinine was brought through the lines in a trunk from New Orleans; when it was scrutinized the owner declared with tears in her eyes that the doll was for a poor crippled girl and this plea was effective in passing it through without the discovery of its precious burden.<sup>4</sup>

The soldiers were short of clothes especially of those made from wool, a want that was felt increasingly as the war went on and the blockade became more stringent. When Stonewall Jackson took Winchester in May, 1862 there was a quantity of blue uniforms among the spoils which the Confederates donned because the material was better than their own well-worn gray. "The Confederate gray was rapidly changing into the Yankee blue," writes Dabney. Jackson at once issued an order directing the arrest of all persons clad in the Federal uniform and their detention in custody "until identified as not being soldiers of the United States": this was effective in causing a return to the gray.<sup>5</sup>

<sup>1</sup> Dec. 5, 1863, O. R., ser. iv, vol. ii, p. 1024, also p. 13; and vol. i, p. 1041.

<sup>2</sup> J. D. Cox's Military Reminiscences, vol. i, p. 455. Also, from Baltimore to Richmond, Diary of a Southern Refugee, Mrs. J. P. MacGuire, p. 186.

<sup>3</sup> Memoirs, vol. i, p. 284.

<sup>4</sup> Diary of a Union Woman in the South, *Century Magazine*, Oct. 1889, p. 945. <sup>5</sup> Life of Jackson, Dabney, p. 385; O. R., vol. xii, part iii, p. 900.

Destitution prevented the continuance of this policy for as we have seen a Confederate division at Antietam (September, 1862) was uniformed in blue.<sup>1</sup> General Schenck notified the Confederate general commanding in the Shenandoah Valley that his soldiers who were captured wearing Federal uniforms should be treated and dealt with as spies. Lee replied by a threat of retaliation.<sup>2</sup> In cold weather the soldiers suffered for the want of blankets. Official documents show the efforts made in the quartermaster's department to procure this necessary covering.<sup>3</sup> Private individuals lent their assistance to eke out the scanty supply. Clergymen of Richmond appealed from their pulpits for blankets or in lieu of blankets carpets which cut into the proper shape and lined with cotton could be used in their place.<sup>4</sup> Bishop Meade of Virginia sent his study carpet to the soldiers.<sup>5</sup> "My brother," wrote Mrs. MacGuire in her diary, "told me that he had every chamber carpet in the house, except one, converted into coverlets; and this is by no means a singular instance."<sup>6</sup> A lady in Mobile said in a letter to a friend in London, "You would be shocked to see how shabby we are in our house, without carpets which have been sent to the army."<sup>7</sup> By joint resolution the Alabama legislature ordered that the carpets in the state-house be cut up to make blankets for the soldiers.<sup>8</sup>

References to the lack of shoes have already been made.<sup>9</sup> To aid the Confederate government in providing shoes for the soldiers of Alabama, the legislature of that State passed an act empowering the governor to

<sup>1</sup> See vol. iv. p. 152.

<sup>2</sup> March 29, May 26, 1863, O. R., vol. xxv. part ii. p. 166; ser. ii. vol. v. p. 733; Jones's Diary, vol. i. p. 325.

<sup>3</sup> O. R., ser. iv. vol. ii. pp. 30, 829, 872.

<sup>4</sup> *The Index*, Feb. 5, 1863.

<sup>5</sup> Mrs. Davis, vol. ii. p. 527.

<sup>6</sup> Diary of a Southern Refugee, entry Nov. 7, 1862, p. 169.

<sup>7</sup> *The Index*, April 2, 1863.

<sup>8</sup> Richmond *Examiner*, Dec. 7, 1863.

<sup>9</sup> Vol. iv. pp. 139, 186.

impress shoes, leather and other suitable materials.<sup>1</sup> The quartermaster-general wrote to Bermuda, "Our wants in regard to all articles of clothing, especially blankets, shoes, and heavy cloth for overcoats, are so great that it is of vital importance that we should receive promptly all that can be had."<sup>2</sup> One evening in October, 1864 General Beauregard while waiting at a cross-road store in Alabama observed a seventeen-year-old lad in Confederate uniform who had stepped in to warm himself by the open fire and said, "My young friend you seem to be badly shod." "Yes," was the reply, "we are many of us in that condition but let another fight come on with the Yankees and we will all have new shoes."<sup>3</sup>

Civilians and women were inconvenienced by the deficiency and high price of clothing and shoes. "We have purchased no clothing for nearly three years," wrote Jones August 16, 1863, and in November "As for clothes we are as shabby as Italian lazzaroni."<sup>4</sup> Home-spun clothing began to be made. "In the homes of our noble and devoted women," said Jefferson Davis in his message of January 12, 1863, "without whose sublime sacrifice our success would have been impossible, the noise of the loom and of the spinning-wheel may be heard throughout the land."<sup>5</sup> Gentlemen wore home-spun-coats or broadcloth brushed threadbare or the coarse Confederate gray; ladies wore calico or home-spun gowns. "To the rustic and virtuous simplicity of the times the honored wife of our President nobly conformed." "Kid gloves were rarely seen." The remnant of Paris gloves were carefully preserved to be worn on

<sup>1</sup> Approved Nov. 19, 1862, O. R., ser. iv. vol. ii. p. 196.

<sup>2</sup> Oct. 13, 1863, *ibid.*, p. 872; see also p. 829.

<sup>3</sup> Roman's Beauregard, vol. ii. p. 286. See also Appleton's Annual Cyclopædia, 1863, p. 216; Richmond During the War, Sarah A. Putnam, p. 263.

<sup>4</sup> Diary, vol. ii. pp. 17, 98.

<sup>5</sup> O. R., ser. iv. vol. ii. p. 350; Richmond *Examiner*, Dec. 9, 1862; Richmond *Dispatch*, May 20, 1863.

the momentous occasions when the old silks and laces were brought out. It was noted that the members of the Georgia legislature were attired in home-made jeans and one of them wore a coat made from the common wire-grass rolled with cotton.<sup>1</sup> From the parishes of Louisiana lying east of the Mississippi River came the report in October, 1863 of a serious lack of clothing: their manufactories of coarse woollen and cotton cloths had been destroyed by the enemy and having neither woollen nor cotton cards they were unable to weave homespun.<sup>2</sup> Women and children plaited straw for bonnets and hats. "Mrs. Davis and the ladies of her household," wrote Jones, "are frequently seen sitting on the front porch engaged in this employment."<sup>3</sup> Substitutes were popularly suggested and employed for long-used articles which had become scarce. Cowhair was taking the place of wool; blankets were being made from the long moss of the seaboard; sandals, sabots or moccasins were to supplant shoes; indeed at Raleigh a factory was turning out daily about one hundred pairs of wooden shoes.<sup>4</sup>

Brooms, chairs, baskets, brushes, pails, tubs, kegs, slate pencils and knitting needles were scarce. Ink began to be made in the home by a crude process. In the news columns of the Charleston *Courier* it was announced that a man in Caswell County (N.C.) was manufacturing writing ink which he would furnish in any quantity to those who would provide their own bottles. A Rich-

<sup>1</sup> Richmond during the War, pp. 194, 251; Diary of a Southern Refugee, p. 186; Augusta *Chronicle and Sentinel*, Nov. 13, 1862; Charleston *Courier*, Dec. 11, 1862. "Give us the girl in the calico dress or what is better homespun. All honor and praise to the fair Southern women! May the future historian when he comes to write of this war fail not to award them their due share of praise for their noble efforts in helping us," etc.—Richmond *Examiner*, Dec. 9, 1862; see also Jones, vol. ii. pp. 344, 347.

<sup>2</sup> O. R., ser. iv. vol. ii. p. 855.

<sup>3</sup> Diary, vol. ii. p. 16; Richmond during the War, p. 251.

<sup>4</sup> Richmond *Examiner*, Jan. 2, 1862; Richmond *Whig*, Oct. 14, Dec. 5, 1862; Charleston *Courier*, Jan. 21, 1862.

mond apothecary advertised that he could not fill prescriptions unless persons requiring medicines should bring their own vials. It was difficult to procure lucifer matches, and people in Richmond left one or more gas-burners lighted in their houses during the day to make up for this deficiency; but coal was in short supply and the gas company being unable to provide for this increased consumption turned off the gas from daylight to early evening. Late in October, 1862 the company stopped lighting the street lamps and did not apparently resume the practice until the following spring. Freemantle who visited Charleston in June, 1863 said that the lighting and paving of the city had "gone to the bad completely." In Augusta is recorded the complaint "again in the dark" from the gas being shut off at eight o'clock on a December evening. "The spasmodic absence of gas," said the *Examiner* January 3, 1865, "gives the citizens of Richmond more concern and trouble than does the presence of Grant." Fault was found with the quality. The gas was not properly purified; "the stench has become a positive nuisance and curse;" and the price was \$50 per thousand feet. "Give us light" was a cry from Mobile. We pay heavy bills for gas that "gives just light enough to make darkness visible." Much inconvenience was felt from the scarcity of paper. Many of the newspapers were gradually reduced in size and in the end printed on half-sheets, occasionally one on brown and another on wall paper; even the white paper was frequently coarse and this with poor type made the news-sheet itself a daily record of the waning material fortunes of the Confederacy. The Richmond *Examiner* said that the editorials of the journals were written on "brown paper, waste paper, backs of old letters and rejected essays, unpaid bills, bits of foolscap torn from the copy books of youth and the ledgers of business men." An Alabama editor used a shingle; when one editorial was

set up he would wipe it out and indite another. Another editor used in a similar way his schoolboy slate. An advertisement in the Charleston *Courier* ran that no more orders for Miller's Almanac for 1863 could be filled unless forty or fifty reams of printing paper could be purchased. Mrs. MacGuire could not get a blank-book in which to continue her diary and was obliged to use wrapping paper for the vivid account of her daily experiences. Mrs. Putnam tells that their family and friendly letters were written on paper which they would hardly have used for wrapping paper before the war. Envelopes which had been received were frequently turned inside out and used for the reply. Curry relates that the tax receipts given for the produce of his farm in Alabama were written on brown paper and had "a dingy archaic appearance." Citizens "as a boon to the press and the public, nay the government itself" were urged to send their accumulated rags to the paper manufacturers. There was danger of an iron famine and other metals were in short supply. Information came to the Charleston arsenal that many patriotic citizens were willing to contribute their lead window weights to the government for war purposes and the captain of the corps of artillery in charge offered to replace them with iron. The editor of the Charleston *Courier* offered the lead water-pipe in his residence "as a free gift to my beloved and imperilled country." Other similar offers were made and church bells were proffered that their metal might be melted and cast into cannon.<sup>1</sup>

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<sup>1</sup> Richmond *Whig*, June 13, August 12, 1862; Richmond *Examiner*, Jan. 8, April 5, May 7, Aug. 18, Oct. 20, 28, Nov. 6, 1862, June 1, 1863, Jan. 3, 10, Feb. 7, 1863; Richmond *Dispatch*, June 16, 18, 1862; Charleston *Courier*, Jan. 1, Feb. 21, April 1, 2, 30, May 16, June 30, Dec. 30, 1862, Jan. 8, 14, Feb. 11, 20, March 4, 14, April 6, 20, 1863, Feb. 2, June 2, 1864; Mobile *Advertiser*, Feb. 3, 1864; all these newspapers *passim*. "Rags wanted" was a prominent advertisement in the Augusta *Chronicle* through the year 1863; the following appears June 20: "Wanted, old ledger covers, old day-book

We have now seen some of the serious inconveniences of life at the South but I have next to touch upon the most grievous scarcity of all — that of bread and meat. Although a greater area of land was devoted to the culture of cereals than in the previous year the crop of 1862 was short owing to a severe drought. It was estimated that the wheat crop in Virginia was not more than a quarter of the average. Corn in parts of North Carolina and Georgia was a failure. From Charleston Beauregard wrote February 9, 1863, "our country is getting rapidly exhausted." South Carolina had planted a large amount of corn but on account of the drought the return was disappointing. In Alabama wheat and oats were an entire failure and corn was short. The corn crop in Mississippi had promised abundance but this fair prospect was ruined by the drought in August. Texas escaped the destruction which fell upon her sister States, there the crop of grain was the largest ever known. She supplied contiguous parts of the Confederacy with grain, beef and mutton, emphasizing to Lincoln and Grant by her fertility the importance of the Vicksburg campaign and the possession of the Mississippi River.<sup>1</sup>

Outside of Texas and Louisiana the situation was grave. In Mississippi "articles of first necessity" were scarce and dear. "The exorbitant prices asked for every article of food," said her governor in his message of December 20, 1862 to his legislature, "are putting the means of living beyond the reach of many of our poor citizens."<sup>2</sup> "Living is hard," wrote John Forsyth from Mobile to a relative in London. "If you could

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covers, old check-book covers, old blank-book covers of any kind at this office;" Freemantle, p. 179; O. R., ser. iv. vol. iii. p. 4; Diary of a Southern Refugee, p. 225; Richmond during the War, p. 190; Curry's Civil History, p. 111; Schwab, p. 271; Jones's Diary, vol. i. p. 217.

<sup>1</sup> O. R., ser. iv. vol. ii. pp. 158, 292, 391, 404, 413, 460, 476; Appleton's Annual Cyclopædia, 1862, pp. 9, 589, 759, 773; my vol. iv. p. 299.

<sup>2</sup> O. R., ser. iv. vol. ii. pp. 251, 460.

smuggle us something to eat or wear it would be a sublime charity. Still we have no idea of giving up."<sup>1</sup> "Do you mean to starve us?" is the heading of an editorial in a Mobile newspaper.<sup>2</sup> Governor Brown of Georgia wrote to Jefferson Davis that in Cherokee County of his State soldiers' families were "likely to starve" for the want of corn.<sup>3</sup> Governor Vance of North Carolina informed Seddon that in the interior of his State there was "much suffering for bread."<sup>4</sup> The commissary-general was troubled at the "scarcity of meats" and Jefferson Davis wrote to Governor Brown on January 27, 1863, "The possibility of a short supply of provisions presents the greatest danger to a successful prosecution of the war."<sup>5</sup> While official documents at Richmond emphasize the wants of the army private diaries reflect the domestic concern. Jones writes that although he was better off than some, his family dined three or four times a week on liver and rice as it was the best he could afford. Later he gives an effective illustration of the scarcity of food in Richmond. A young rat came out of its hole in the kitchen and seemed to beg for something to eat from his youngest daughter. "She held out some bread which it ate from her hand and seemed grateful. Several others soon appeared and were as tame as kittens. Perhaps," adds Jones, "we shall have to eat them!"<sup>6</sup> Later still he speaks of the pale and haggard appearance of some men from Lee's army and declares that "we are approaching the condition of famine."<sup>7</sup> Benjamin who was as optimistic as Seward and had an eye to

<sup>1</sup> Oct. 28, 1862, *Index*, Dec. 25.

<sup>2</sup> Mobile *Register*, Feb. 4, 1863; see also Jones's Diary, vol. i. p. 194.

<sup>3</sup> O. R., ser. iv. vol. ii. p. 404; Appleton's Annual Cyclopædia, 1863, p. 447.

<sup>4</sup> O. R., ser. iv. vol. ii. p. 413; see also p. 86.

<sup>5</sup> Ibid., pp. 350, 376.

<sup>6</sup> Entries Dec. 19, 1862, Feb. 11, 1863, Diary, vol. i. pp. 217, 257.

<sup>7</sup> Entry Feb. 18, 1863, vol. i. p. 261, also p. 240; see Diary of a Southern Refugee, p. 173; Richmond *Examiner*, Feb. 23, 1863.

European sentiment gave a different account from the others. "You will perceive in the newspapers," he wrote to Slidell, "an apparent anxiety on the subject of provisions and it is even said that our oft-deluded foes are again indulging the hope that we are to lose our independence by *starvation!*" This he went on to say was absurd. We were short of meat and forage owing to defective transportation but there was a superabundance of bread.<sup>1</sup> Benjamin was more diplomatic than truthful yet his statement that defective railroad transportation was the principal cause of their trouble was probably true. There was as we have seen a plenty in Texas and this was also the case in other parts of the Confederacy. After his unsuccessful campaign against Vicksburg General Sherman wrote to his brother, "We found everywhere abundant supplies, even on the Yazoo [in Mississippi], and all along the river we found cattle and fat ones feeding quietly. The country everywhere abounds with corn."<sup>2</sup> May 4, 1863 Dana wrote to Stanton from Grand Gulf: "As soon as Sherman comes up and the rations on the way arrive, he will disregard his base and depend on the country for meat and even for bread. Beef-cattle and corn are both abundant everywhere. The enemy is not suffering for want in the least."<sup>3</sup>

The well-to-do in civil life could get on. Food was always to be had for money but the scarcity and high prices bore harshly on the poor and on those of moderate means. "None but the opulent," wrote Jones, "can obtain a sufficiency of food and raiment." Men with fixed incomes and men on salaries had difficulty in

<sup>1</sup> March 24, 1863, Confed. Dip. Corr. MS.; see also *Mobile Register*, March 15, 1863.

<sup>2</sup> Jan. 6, 1863, *Sherman's Letters*, p. 180.

<sup>3</sup> O. R., vol. xxiv. part i. p. 84. Florida had a large crop in corn in 1862 but transportation was lacking to send it out of the State, *ibid.*, ser. iv. vol. ii. p. 487.

<sup>4</sup> Entry Jan. 18, 1863, vol. i. p. 240.

making ends meet. They were paid in poor money the value of which was being constantly lessened and moreover, according to Schwab, the price of many commodities rose higher than the price of gold.<sup>1</sup> As nearly every one was in favour of the prosecution of the war and acknowledged the necessity of the issue of Treasury notes the blame for this state of things was laid upon speculators and extortioners. The newspapers clamoured excitedly against them averring that Southern merchants had "outdone Yankees and Jews"; that the people were "gouged by heartless extortioners"; and that the manufacturing establishments had become "odious monopolies grinding the poor and threatening famine in the land."<sup>2</sup> Governor Vance in his message of November 17, 1862 to the legislature of North Carolina said: "The demon of speculation and extortion seems to have seized upon nearly all sorts and conditions of men, and all the necessaries of life are fast getting beyond the reach of the poor. Flour, which if properly left to the laws of supply and demand could not have risen to more than double peace rates, can now be used only by the rich. Everything has a tendency upward in the same proportion. Leather, woollen cloth and cotton goods have been made the special means of extortion."<sup>3</sup> North Carolina laid an embargo on certain articles of prime necessity; <sup>4</sup> price conventions endeavoured to fix reasonable rates; South Carolina attempted by law to forbid extortionate prices: and many bills to cure the evil of extortion were introduced into Congress and other State legislatures, though none of these were enacted.<sup>5</sup> Jefferson Davis in an address to the people of the Confederate

<sup>1</sup> p. 174. I have made no attempt to reconcile Schwab's statement and table with the instances I have mentioned on p. 350.

<sup>2</sup> Richmond *Examiner*, July 22, Oct. 7, 1862; Richmond *Whig*, Feb. 17, 1863.

<sup>3</sup> O. R., ser. iv. vol. ii. p. 181; see also p. 85.

<sup>4</sup> *Ibid.*, p. 214.

<sup>5</sup> Schwab, p. 182 *et seq.*

States spoke of the "attempt of grovelling speculators to forestall the market and make money out of the life-blood of our defenders."<sup>1</sup>

In Mobile there were stuck up at the corners of the streets placards, "Bread or Peace."<sup>2</sup> Riots of women directed against extortioners broke out at Salisbury (N.C.), Atlanta, Mobile and in other places, and provision shops were pillaged.<sup>3</sup> The most formidable one known as the bread riot of Holy Thursday took place on April 2, 1863 in Richmond where suffering and misery had reached a pitch that enabled a designing woman to influence those in want to resort to force. Mary Jackson, a huckster in the market, variously described as a "virago," "an Amazon with the eye of a devil" had harangued an assemblage of women in the Baptist church on Wednesday evening exposing her plan for the following day. Early in the morning of Thursday a few hundred women and boys met in Capitol Square saying that they were hungry and must have bread. The crowd grew larger, men joined them and they numbered more than a thousand when headed by the Amazon who wore a white feather in her hat, and was armed with a bowie-knife, they moved out of the square down Ninth Street past the War Department and across Main Street, gaining constant accessions but at this time marching silently and in good order. Jones saw them then and marvelling at the sight asked a pale boy whither they were bent. "A young woman seemingly emaciated" took up the word and with a smile "answered that they were going to find something to eat." "I could not for the life of me," continues Jones, "refrain from expressing the hope that they might be successful; and I

<sup>1</sup> April 10, 1863, O. R., ser. iv. vol. ii. p. 477.

<sup>2</sup> Letter of March 29, 1863, O. R., vol. liii. part i. p. 448.

<sup>3</sup> Richmond *Whig*, March 24; Richmond *Examiner*, March 27, April 4, 1863; Augusta *Chronicle*, April 4, 1863; Appleton's Annual Cyclopædia, 1863, pp. 6, 818.

remarked that they were going in the right direction to find plenty in the hands of extortioners." The mob marched through Cary Street, broke into a number of shops and took meal, flour, bacon, shoes and other articles: it increased constantly in numbers being swelled by prostitutes, gamblers, thieves and ruffians. Turning up into Main Street they sacked stores containing shoes, clothing, fancy articles and millinery. Here an eyewitness estimated the mob at "perhaps five thousand males and as many hundred females." They broke through the plate glass windows of shops which had been closed and demanded silks and jewellery; to appease them one merchant threw out dry goods. The president of the Young Men's Christian Association invited the crowd on one street to come to the Association rooms where they should be provided with food and this offer was accepted by many. Simultaneously sterner measures were used. The city battalion was called out. The mayor read the Riot Act. Governor Letcher with watch in his hand gave them five minutes to disperse under the threat of ordering the soldiers to fire. But then President Davis appeared and mounting a dray made an earnest speech urging the people to return to their homes and pleading that the bayonets menacing them might be turned against the common enemy, ending however with an indorsement of the governor's threat. The mob then dispersed and a number of arrests were made.<sup>1</sup>

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<sup>1</sup> My authorities for this account are the evidence in the trial of Mrs. Jackson, Richmond *Examiner*, April 3, 4, 6, 13, 24, 1863; Jones's Diary, vol. i. p. 284; report of an eyewitness, Richmond *Whig*, April 7; editorials, Richmond *Examiner*, April 4, 16, *Whig*, April 7, *Enquirer*, Oct. 13, 1863; Life of Davis, Mrs. Davis, vol. ii. p. 373; Diary of a Southern Refugee, p. 202; Richmond during the War, p. 208; account of two Prussian refugees to General Keyes, O. R., vol. li. part i. p. 1002; Appleton's Annual Cyclopaedia, 1863, p. 818.

Mrs. Davis writes that it was Davis who said to the mob: "I will give you five minutes to disperse, otherwise you will be fired on." Jones, Mrs.

This affair though attended with no loss of life or personal injury created a profound impression. The Secretary of War requested the telegraph company to send no word of the "unfortunate disturbance" over their wires and appealed earnestly to the Richmond newspapers "to avoid all reference directly or indirectly to the affair" that our cause might not be embarrassed and our enemies encouraged.<sup>1</sup> No direct mention of the riot was made by the press on the next day and when on April 4 it was commented upon the articles were obviously inspired: the mob was reduced to 150 courtesans egged on by a rabble of gamblers and thieves not in want of bread or meat but bent on common pillage.<sup>2</sup> The evening after the riot the city council declared by resolution that it was due to the foreign element in the population.<sup>3</sup>

The unrest continued for some days. On Good Friday crowds of women and foreigners gathered in the streets and demanded food but they were dispersed at midday by the city battalion.<sup>4</sup> On Saturday, April 4 another demonstration was expected and cannon were placed in positions where they might rake the streets.<sup>5</sup> On the 6th General Elzey commanding in the city informed Longstreet that it would not answer to detach a certain part of his force for active operations "owing to the continually threatened riots in Richmond";<sup>6</sup> and on

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MacGuire and the Richmond *Enquirer* of Oct. 13 ascribe this threat to the governor. I have endeavoured to conciliate in some manner the two accounts. The estimate of 5000 males and as many hundred females is that of the eyewitness in the Richmond *Whig* and is probably too large. The population of the city was in 1860 37,910 and was now thought to be nearly 100,000—Richmond *Whig*, April 7; Jones's Diary, vol. i. p. 277. The after newspaper comments minimized the mob in numbers as in importance, but I am satisfied that considerably more than a thousand took part in the riot.

<sup>1</sup> O. R., vol. xviii. p. 958.

<sup>2</sup> Richmond *Examiner*, April 4, *Whig*, April 7, 1863.

<sup>3</sup> Richmond *Examiner*, April 3, 1863.

<sup>4</sup> Jones, vol. i. p. 286.

<sup>5</sup> Diary of a Southern Refugee, p. 203; Richmond during the War, p. 209.

<sup>6</sup> O. R., vol. xviii. p. 965.

the evening of the 10th he sent two of his battalions from the camp into the city which in addition to a force detailed by General Winder were placed at the command of the governor to aid "the civil authority in suppression of an outbreak . . . expected during the coming night."<sup>1</sup> The expected did not happen and no further disturbance occurred. Two feelings were uppermost in the public mind: one, that the people of the North must not know there had been a bread riot in Richmond — this might give them new energy encouraging as it would do the belief that the Confederacy was approaching its downfall — the other a sting of mortification in the thought that a mob had for a time held sway in their capital city. Similar uprisings were common in Europe and at the North but it had been a source of pride to the people of the South that except in the cosmopolitan city of New Orleans they did not take place within their borders. An explanation was devised that this chain of riots was due to the machinations of emissaries of the Federal government but a diligent search discovers no evidence to support this view.<sup>2</sup>

Early in 1862 surmises were made that there might be a short supply of food and a voluntary movement began to curtail the amount of cotton planted and substitute corn and other grain. The governor of Alabama by proclamation and the Confederate House of Representatives by resolution in March, 1862 recommended such a policy. The Senate discussed a bill exacting such a curtailment of production but failed to enact it as a law. But the agitation of the subject seems to have exercised a considerable influence. De Fontaine

<sup>1</sup> O. R., vol. xviii. p. 977; Jones, vol. i. p. 290. Winder commanding the department of Henrico was a sort of military governor of Richmond (see my vol. iii. p. 601), and had present for duty Dec. 31, 1862, a force of 2017, O. R., ser. iv. vol. ii. p. 278. This was additional to Elzey's force.

<sup>2</sup> Richmond *Examiner*, April 4, *Whig*, April 7; Diary of a Southern Refugee, p. 204.

in a journey of nearly a thousand miles in June, 1862 from Jackson *via* Mobile and Montgomery to Atlanta saw hardly an acre of cotton but "no end" of corn.<sup>1</sup> The cotton crop of 1862 was but little over a quarter of that of 1861.<sup>2</sup> Thus many indications point to a large acreage of cereals and the failure of the harvest must have been disheartening to the planters. At the same time the general distress increased the pressure on them to plant less cotton and tobacco and more breadstuffs. The advice of the press, agreements of planters' conventions, appeals of governors, restrictive statutes of legislatures, an earnest recommendation of the Confederate Congress by their joint resolution of April 4, 1863 and a pleading argument of President Davis were all directed to this end.<sup>3</sup> In 1863 the production of cotton fell off and the decline the next year was marked, the crop for 1864 being only about one-eighth of that of 1861,<sup>4</sup> while for both 1863 and 1864 the harvest of cereals was large.<sup>5</sup> The prices of bread and meat however as measured in Confederate currency, went up almost steadily, without any reactions of permanence, although measured in gold they reflected the abundance of 1863 and would have done so similarly for 1864 had not the rich yield of the fields been neutralized by other causes. The high cost of living and the consequent distress are measured by the amounts people were obliged to pay in Treasury notes for necessary articles. Mrs. Smedes in mention-

<sup>1</sup> Charleston *Courier*, June 26, see also March 21, 1862; Appleton's Annual Cyclopædia, 1862, pp. 9, 253, 260; Schwab, p. 278; Mobile *Register*, March 15, 1863; O. R., ser. iv. vol. ii. pp. 35, 350.

<sup>2</sup> 1861 below four million bales; 1862 over one million, Schwab, p. 279.

<sup>3</sup> Schwab, p. 278; Appleton's Annual Cyclopædia, 1863, pp. 6, 209, 210; Richmond *Examiner*, *Dispatch*, March 13, 1863; O. R., ser. iv. vol. ii. pp. 376, 468, 476, 487; Jones's Diary, vol. i. p. 290.

<sup>4</sup> Probably did not exceed five hundred thousand bales, Schwab, p. 279.

<sup>5</sup> Benjamin to Slidell, Aug. 17, 1863, Confed. Dip. Cor. MS.; Davis, O. R., ser. iv. vol. ii. pp. 476, 700; Vance, ibid., p. 796; Jones's Diary, vol. ii. p. 10; Cleveland's Stephens, p. 789; Appleton's Annual Cyclopædia, 1863, p. 211; 1864, p. 193.

ing the excessive prices she paid in Georgia and Mississippi for the maintenance of her father's large family writes: "It must be borne in mind that each Confederate dollar represented to this family what had been a dollar in specie. The income in Confederate money was no larger than the income had been in gold."<sup>1</sup> "Heaven has blessed us with abundant crops," declared Vance in a proclamation of September 7, 1863, "but thousands of the poor are unable to purchase."<sup>2</sup> In Virginia, especially in Richmond the suffering was the most acute. The Shenandoah Valley, a rich wheat-producing region, was lived upon by both armies and in 1864 laid waste by the Union troops but even before this devastation a commissary at Richmond reported to the commissary-general, "We are now dependent on the South for bread."<sup>3</sup> From Appomattox Thomas S. Bocock wrote to Seddon, "The people of this country are already suffering much for corn."<sup>4</sup> "How are the poor to live?" asks Mrs. MacGuire, "though it is said that the poor genteel are the real sufferers."<sup>5</sup> "Such is the scarcity of provisions" writes Jones, December 21, 1863, "that rats and mice have mostly disappeared and the cats can hardly be kept off the table." February 21, 1864 he made this entry, "I know my ribs stick out being covered by skin only for the want of sufficient food; and this is the case with many thousands of non-producers." Two days later, "Meal is the only food now attainable except by the rich." and April 3, 1864, "*It is now a famine* although I believe we are starving in the midst of plenty if it were only equally distributed."<sup>6</sup> Intelligence of women and children of Richmond suffering for the want of food reached the Thirtieth Virginia and this regiment fasted for a day

<sup>1</sup> p. 224.

<sup>2</sup> O. R., ser. iv. vol. ii. p. 796.

<sup>3</sup> Feb. 8, 1864, ibid., vol. iii. p. 89.

<sup>4</sup> April 11, 1864, ibid., p. 285.

<sup>5</sup> Dec. 12, 1863, Diary of a Southern Refugee, p. 247.

<sup>6</sup> Diary, vol. ii. pp. 118, 154, 156, 180.

sending their rations into the city.<sup>1</sup> But Jones makes the remark a number of times that no beggars are to be seen in the streets;<sup>2</sup> yet one might witness a crowd of haggard women with baskets at the office of the Young Men's Christian Association awaiting the free distribution of things to eat.<sup>3</sup>

In his report of November, 1863 Secretary of War Seddon told Congress that the department clerks (of whom Jones was one) could not live on their salaries<sup>4</sup> and Congress made an increase in the stipends of certain government employees as well as in those of its own members.<sup>5</sup> But this was in no way proportionate to the advanced cost of living. Jones and his two sons received \$13,000 a year from the government; "yet," he writes, "we cannot subsist and clothe the family [seven including a servant who shared with the rest]; for alas the paper money is \$30 for one in specie!"<sup>6</sup> Mrs. MacGuire, who was a clerk in the commissary department, noted on February 15, 1864 that her salary had been doubled so that she received \$250 per month; but how small that seemed with flour at \$300 per barrel!<sup>7</sup> Jones believed that President Davis's salary<sup>8</sup> "was insufficient to meet his housekeeping expenses" and that he and Mrs. Davis were somewhat "indignant at the conduct of the extortioners."<sup>9</sup> The tale of poverty in its everyday aspect is familiar to us all but at the South the contrast between life before the war and afterwards is most unusual and striking. The characteristic of the domestic establishments had been plenty, even lavishness. Tables groaned under the weight of food. The Southerners had been extravagant in their living and generous in their

<sup>1</sup> Mrs. Davis, vol. ii. p. 496.

<sup>2</sup> Diary, vol. i. pp. 161, 257, 277; vol. ii. pp. 135, 244.

<sup>3</sup> Richmond *Whig*, April 15, 1864.

<sup>4</sup> O. R., ser. iv. vol. ii. p. 1012.

<sup>6</sup> Schwab, p. 181.

<sup>5</sup> Oct. 30, 1864, vol. ii. p. 318.

<sup>7</sup> Diary of a Refugee, p. 252.

<sup>8</sup> \$25,000 per annum.

<sup>9</sup> Diary, vol. ii. p. 190.

entertainment. Servants were numerous. Southern ladies who had never taken thought where food came from, who had themselves never stooped to the least physical exertion were now forced by the advance of the enemy to leave their luxurious homes and take refuge in Richmond; there they might be seen in a line of women before the cheapest shop awaiting their chance to spend the scant wages of "plain sewing" or copying or clerical work in a government office, for a pittance of flour and bacon. No clerkship was given to a woman unless she would aver that she was in want and in the Treasury Department one vacancy would elicit a hundred applications, a number of which came from ladies of gentle birth and former competence. Other ladies accustomed to luxury did the menial work of the household. Such labour was peculiarly distasteful to the Southern-bred woman, yet this and the insufficiency of wholesome food were borne with cheerfulness in the hope of independence and the preservation of their social institutions.<sup>1</sup>

The services of "the most accomplished scholars in the Confederacy" were to be had for "food and raiment."<sup>2</sup> "Hunger," writes Professor Gildersleeve, "was the dominant note of life in the Confederacy, civil as well as military." He tells that professors of the University of Virginia receiving only the same number of dollars that they did before the war would have frozen as well as starved during the last year if it had not been for "a grant of woodland." Seeking daintier food than corned beef and bacon for the women of his household he had "ridden miles and miles with silver in his palm" but his quest was vain.<sup>3</sup> In truth the situation in 1864 was

<sup>1</sup> Diary of a Southern Refugee, pp. 172, 238, 244, 247, 258, 328; Richmond during the War, pp. 174, 253, 273, 303; Richmond *Whig*, April 15, 1864; O. R., ser. iv. vol. iii. p. 974.

<sup>2</sup> Richmond *Examiner*, Dec. 31, 1863.

<sup>3</sup> *Atlantic Monthly*, Sept. 1897, p. 839 *et seq.*

acute. "My heart sinks within me at the inevitable suffering of our people through actual want and starvation," wrote John Tyler<sup>1</sup> from Petersburg "and from which the army itself cannot altogether escape. . . . Our situation in Georgia under Johnston is similar to that here, but he is nearer provisions and is in less danger from starvation. Flour here is now commanding in market \$400 per barrel and everything else in proportion. Many in and out of Richmond must starve to death this coming winter."<sup>2</sup> It is a significant fact, that in this country of broad acres of arable land with thousands of negro labourers to till them, the commissary department came to the conclusion that a large part of the meat for the army must come from abroad and that the importation of it must be pressed.<sup>3</sup> The governor of Virginia in his message to his legislature of December 7, 1864 urged a policy of relief to "protect our suffering State from the danger of absolute starvation."<sup>4</sup>

Extortioners and speculators continued to be blamed for the scarcity and high prices. Societies were formed to make war upon "the crime of extortion"; mutual supply associations were organized; city ordinances essaying moderate remedies were passed; and Richmond and Charleston embarked in the business of supplying the public with meat, and Richmond also made an endeavour to furnish bread. None of these attempts appear to have had a lasting success. Some of the newspaper writing was vehement invoking violent remedies for the evil; and the governor of Virginia told his legislature that there existed an "absolute necessity of regulating prices."<sup>5</sup>

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<sup>1</sup> Son of the President.

<sup>2</sup> July 9, 1864, O. R., vol. xl. part iii. p. 759.

<sup>3</sup> Nov. 4, Dec. 12, 1864, O. R., ser. iv. vol. iii. pp. 784, 931. Considerable meat was imported, *ibid.*, pp. 930, 955, 956; *Running the Blockade*, Taylor, p. 137; Schwab, p. 230. <sup>4</sup> O. R., ser. iv. vol. iii. p. 918.

<sup>5</sup> Dec. 7, 1864, *ibid.*, p. 917; vol. ii. pp. 857, 969; *Richmond Dispatch*, Aug. 8, Sept. 7, Oct. 5, 19, Nov. 13, 1863; *Charleston Courier*,

An attempt to lessen the consumption of corn is seen by the passage of State acts stopping its distillation into whiskey. All the States except Tennessee enacted such laws but they were evaded. The Confederate government embarked in the manufacture of whiskey for use in the army and hospitals and thereby came into conflict with the States.<sup>1</sup> The correspondence between a commissary of subsistence and Governor Joseph E. Brown presents this phase of the subject and the governor's words picture a condition in striking contrast with what obtained at the same time at the North.<sup>2</sup> "One thing is very certain," he said, "there is not enough corn in the country to furnish the people and the army with rations of bread and whiskey. . . . I have lately been through Upper, Middle and Southwestern Georgia, and have observed closely, and I am quite sure the prospects of suffering for bread are alarming. In this state of things I feel that I should merit the censure of all good men if I were to allow more corn distilled into whiskey than is actually necessary for hospital purposes. What whiskey is made under license hereafter to be granted must be made in Southern or Southwestern Georgia, and made as the statute requires — of grain grown over twenty miles from a railroad or navigable stream."<sup>3</sup>

The great concern of the Confederate government was to feed the army and, when its financial system broke down it resorted to the tax of one-tenth in kind of agricultural products<sup>4</sup> but the act imposing this, passed April 24, 1863, applied only to the production of that year and did nothing to relieve the immediate want.

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Sept. 17, Oct. 16, Dec. 3, 1863; *Augusta Chronicle*, Oct. 31, 1863; *Richmond Enquirer*, Oct. 13, 16, 23, *passim*, 1863; Aug. 27, 1864; *Jones's Diary*, vol. ii. p. 66 *et seq.*

<sup>1</sup> Schwab, pp. 217, 279; Law of June 14, 1864; O. R., ser. iv. vol. iii. p. 924; vol. ii. p. 218. <sup>2</sup> *Ante*, p. 263 *et seq.*

<sup>3</sup> Feb. 6, 1864, O. R., ser. iv. vol. iii. p. 119; see p. 106 *et seq.*; also vol. ii. pp. 510, 971; *Cleveland's Stephens*, p. 789. <sup>4</sup> *Ante*, p. 348.

The large purchases of the government in competition with private parties had tended to enhance values and the prices of food had advanced to a point beyond the ability of the government to pay even in its own depreciated currency. Moreover farmers refused to sell the products of their land at any price for the paper money of the Confederacy,<sup>1</sup> and the army authorities began to compel them and other holders to part with necessities required by the soldiers. In the wheat-growing district of Virginia many hundred farmers on hearing in the autumn of 1862 that "commissaries were impressing flour below the market price, unhitched their teams from the plough."<sup>2</sup> The question asked President Davis by the House of Representatives whether there had been seizures and confiscations of private property by his order,<sup>3</sup> certain entries by Jones and a statement in a letter of Herschel V. Johnson to the Secretary of the Treasury are evidence that the army in order to live took food by force.<sup>4</sup> These exactions were not always submitted to without a contest. In one case at least an injunction was granted "arresting the impressment of flour by the Secretary of War."<sup>5</sup> To regulate impressments the Confederate Congress passed March 26, 1863 an act authorizing when absolutely necessary the impressment of articles of subsistence and other property by an army in the field, the value of these to be fixed by appraisers in the usual way. Thus far the law gave regularity to an existing practice and determined a mode of compensation. But recognizing the impossibility of supplying the army by purchase alone it went further and inaugurated a far-reaching system of taking "private property for public use"; it authorized sub-

<sup>1</sup> O. R., ser. iv. vol. ii. pp. 969, 1009; vol. xxiv. p. 307; *Charleston Courier*, Dec. 6, 1862; *Jones's Diary*, vol. i. p. 194; vol. ii. pp. 92, 95.

<sup>2</sup> *Richmond Dispatch*, March 13, 1863.

<sup>3</sup> Davis, Feb. 7, 1863, returned a distinctly negative answer.

<sup>4</sup> O. R., ser. iv. vol. ii. p. 389; vol. iii. p. 594; *Jones*, vol. i. pp. 279, 301.

<sup>5</sup> March 24, 1863, *Jones's Diary*, vol. i. p. 279.

stantially any officer of the army to seize any property anywhere in the Confederacy in order to accumulate supplies or "for the good of the service." Nevertheless sufficient food and foodstuffs for the owner and his household and property necessary "to carry on his ordinary agricultural and mechanical business" were to be left, the quantity of these to be determined by appraisers. The bread, meat and other property seized were to be paid for at prices fixed and published every two months by commissioners, one for each State appointed by the President the others respectively by the governors of the States where the property was in question: should the two commissioners not agree the usual course of calling in an umpire was provided.<sup>1</sup>

The outcry against the operation of this law was bitter, widely extended and prolonged. Complaint came from Mississippi; a committee of the grand jury in Richmond sent a remonstrance to Davis; everywhere clamours rose "against the sweeping impressments of crops, horses, etc."<sup>2</sup> The Supreme Court of Georgia decided that the price offered by the commissioners and refused by the owner for a quantity of sugar which had been seized was not a just compensation and that the sugar must be returned to the owner; and further that the section of the act providing for the fixing of prices was "unconstitutional and void."<sup>3</sup> A committee of the South Carolina legislature came to the conclusion that the execution of the law was attended with "serious grievances": provisions enough for the owner and his family were not always left; the impressing officer would strip those within his grasp and sometimes permit others farther away to go free; again through

<sup>1</sup> Statutes at Large, 1st Cong. 3d Sess. The statute and the regulations of the Secretary of War are printed, O. R., ser. iv. vol. ii. p. 469.

<sup>2</sup> Entries Sept. 29, Nov. 21, 23, 1863, Jones's Diary, vol. ii. pp. 56, 101, 103. For Virginia especially see Appleton's Annual Cyclopædia, 1863, p. 206.

<sup>3</sup> Cunningham *vs.* Campbell, 33 Georgia 625 (Nov. term, 1863).

indolence he would not call for supplies that had been set apart to liquidate the tax in kind, preferring instead to impress food in his neighbourhood: such practices were making government officers odious.<sup>1</sup> The legislature of Georgia declared that in the execution of the impressment law citizens of their State had been "greatly harassed, defrauded and wilfully wronged."<sup>2</sup> A similar statement was made in resolutions of the House of Commons and Senate of North Carolina, and Governor Vance in transmitting these to the Secretary of War complained of the impressing agents: they did not leave citizens enough to live on, he said, and "this crying evil and injustice should be corrected without delay."<sup>3</sup> Vance was a severe critic of the government and Georgia and North Carolina were recalcitrant States but similar testimony came from Governor Watts of Alabama a staunch supporter of Davis's administration. "The practical operation of the impressment system," he wrote, "has been disastrous."<sup>4</sup> John Milton of Florida, another thoroughly "loyal" governor, complained of "the lawless and wicked conduct of government agents"; and he forwarded to Richmond a letter from a minister which stated that milch cows and calves and all of their corn were taken from soldiers' families, whose husbands and fathers had been slain on the battle-field of Chattanooga.<sup>5</sup> A report from Texas ran that the people were "sorely irritated by military impressments."<sup>6</sup> Governor Vance returned to the subject in 1864 and wrote to President Davis on February 9 that the impressment of property was "frequently intrusted to men unprincipled, dishonest, and filled to

<sup>1</sup> Oct. 8, 1863, O. R., ser. iv. vol. ii. p. 863; see also vol. iii. p. 404.

<sup>2</sup> Nov. 23, 1863, ibid., vol. ii. p. 988.

<sup>3</sup> Dec. 29, 1863, ibid., ser. iv. vol. ii. p. 1066.

<sup>4</sup> Jan. 19, 1864, ibid., vol. iii. p. 37; see also Jones's Diary, vol. ii. p. 191.

<sup>5</sup> Jan. 26, 1864, O. R., ser. iv. vol. iii, p. 46.

<sup>6</sup> Ibid., vol. xxxiv. part iii. p. 731.

overflowing with all the petty meanness of small minds dressed in a little brief authority. The files of my office are filled up with the unavailing complaints of outraged citizens to whom redress is impossible.”<sup>1</sup> Alexander H. Stephens an unsympathetic critic of Davis’s administration wrote to Seddon that “the policy of impressing provisions without paying market price will greatly lessen production of itself”;<sup>2</sup> and Robert Toombs a violent and unreasonable opponent of the government criticised bitterly in a public speech the policy of impressments.<sup>3</sup> But more powerful than any of these is the arraignment of Herschel V. Johnson who was the Douglas candidate for Vice-President in 1860 and who was now a moderate and sympathetic critic of Davis’s administration.

It must be premised that the schedules published in the newspapers and signed by the proper commissioners for each State were notice to every producer of the maximum price that he would obtain for his produce and army supplies seized by the officers of the law,<sup>4</sup> and he was thus compelled according to Johnson “to accept as compensation half or less than half that it will command in the markets of the country.” Moreover Johnson in his letter of August 16, 1864 to the Secretary of the Treasury asserted that the operation of the impressment was unequal; its hardships fell on a comparatively small number whose plantations were not remote from the railroads and the navigable rivers, in “striking distance” therefore of the “lazy” impressing officers. A concrete case illustrates the grievous hardship. A planter has a surplus of 100 bushels of wheat for sale which he could sell in the market for \$25 per bushel but the government takes it from him paying him but \$5

<sup>1</sup> O. R., vol. li. part ii. p. 819.

<sup>2</sup> Cleveland, p. 789.

<sup>3</sup> Nov. 13, 1863, Appleton’s Annual Cyclopaedia, 1863, p. 207.

<sup>4</sup> Such schedules may be found: O. R., ser. iv. vol. ii. pp. 559, 651, 896, 842, 1049; vol. iii. p. 54; see also Schwab, p. 202, note 4.

to \$7.50 per bushel, levying thus a forced contribution of \$1750 to \$2000 on the surplus wheat of a small farmer. If everybody were being thus taxed there would at least be no injustice but to apply such a levy to a few is monstrous. The impressing officer of his county had just told Johnson that he could not get wheat for \$5 a bushel. This is not surprising, continues Johnson for reduced to gold that is but 25 cents and in peace times when the South did business on a specie basis wheat in his region of country was never worth less than \$1.25 to \$2. He warns the Secretary that a continuance of the impressment will cause dissatisfaction and "discourage production."<sup>1</sup>

The evils of impressment were thoroughly appreciated by the War Department and some attempt which was probably futile was made to correct the abuses; its operation was conceded to be harsh, unequal and odious but inexorable necessity had led to the adoption of the policy and would require its continuance. This is shown in the reports and letters of Seddon, the Secretary of War, whose arguments<sup>2</sup> are so forcible as to suggest that these papers may have been inspired by Jefferson Davis, whose attention was naturally centred on this Department as being the most important in the administration; and he brought to it his four years' experience as war minister in the cabinet of President Pierce. General Lee held substantially the same opinion as did Seddon, writing, "The system of impressment, though absolutely necessary, is very objectionable in many ways and not calculated to bring out fully the resources of the country."<sup>3</sup>

<sup>1</sup> O. R., ser. iv. vol. iii. p. 594; see also a later letter to Seddon, *ibid.*, p. 662; for General Joe Johnston's opinion, see O. R., vol. xxxi. part iii. p. 677; *Narrative*, p. 424.

<sup>2</sup> O. R., ser. iv. vol. ii. p. 1009; vol. iii. pp. 3, 111, 337, 562, 689; see also Davis to Vance, *ibid.*, p. 824.

<sup>3</sup> Jan. 21, 1864, O. R., vol. xxxiii. p. 1114.

When we examine the alternative policy proposed by the critics of impressment we see that Lee's and Seddon's position was impregnable. Toombs, Stephens, Governor Brown, Governor Watts and Herschel V. Johnson agreed that impressment ought to be stopped and supplies bought at the market price.<sup>1</sup> But many farmers refused to accept Confederate paper money for their products save under compulsion and after the down-scaling currency act of February 17, 1864 was passed even Confederate Treasury notes were lacking to pay for impressed supplies. On the one hand, Lee requested that coin or foreign exchange be offered for provisions in order to stimulate private enterprise to bring them forward ;<sup>2</sup> and on the other hand a commissary reported that the impressment act had failed for the reason that his officers had no currency to pay for the impressed products and the farmers were within their legal rights in refusing to accept six per cent. certificates and non-taxable bonds.<sup>3</sup> General Kirby Smith in the Trans-Mississippi Department told a similar story ; the farmers would accept currency for the impressed articles but would no longer take certified accounts of which they had large amounts. Indeed the pay of the soldiers was \$50,000,000 in arrears : some of them had not received a dollar for sixteen months and others for nearly two years.<sup>4</sup>

High taxation and loans are also parts of the remedy suggested by Toombs and Johnson. Both had become impracticable. In 1863 the currency in which the taxes were received was redundant and steadily depreciating ; in 1864 it was scarce but worth still less than in 1863. All sorts of bond issues were tried and as large an

<sup>1</sup> Appleton's Annual Cyclopædia, 1863, p. 208 ; Johnston and Browne, p. 448 ; O. R., ser. iv. vol. ii. p. 944 ; vol. iii. pp. 37, 596, 662.

<sup>2</sup> Jan. 21, 1864, *ibid.*, vol. xxxiii. p. 1114 ; see also vol. xxix. part ii. p. 912.

<sup>3</sup> Sept. 15, 1864, *ibid.*, ser. iv. vol. iii. p. 653.

<sup>4</sup> Feb. 11, 1865, vol. xlvi. part i. p. 1381.

amount of loans was floated as the market would take.<sup>1</sup> That the amount of bonds bore a small proportion to the Treasury notes was not due to financial mismanagement but to the smallness of savings available at the South for such a permanent investment. The surplus capital as is well known had been constantly laid out in land and negroes. The difference between Davis and his Congress on the one side and his critics on the other is that he considered existing facts which they ignored. By January 1, 1863 it became apparent that primitive methods must supplant the modern mechanism of business operations. The South had practically no specie or in other words no basis for a modern fiscal system consisting of a redeemable currency and bonds. She had no credits. At the outbreak of the war she was in debt to the North and to Europe. With the closing of her ports by the blockade her chance of getting any credits in the marts of the world was gone. One has only to look over many schedules of goods that went out and came in by the blockade-runners to understand how insignificant was the exchange of commodities through this precarious commerce. The blockade-running and the trade with the North brought in articles of prime necessity for carrying on the war and all the cotton which went out was absorbed in these indispensable transactions: there was not enough of it to establish credits or bring in specie. The resort then to the tithe and to impressment was unavoidable. The tithe was under the circumstances an admirable method of taxation and though it bore hard on the farmers and was the cause of complaint, the bulk of the testimony is that it worked well.<sup>2</sup> Like much of the statecraft both North and South it was a belated policy, due to an imperfect comprehension of the magnitude and duration

<sup>1</sup> Schwab, *passim*.

<sup>2</sup> See, for example, O. R., ser. iv. vol. ii. p. 1011; vol. iii. pp. 338, 801; Cleveland's Stephens, p. 788; Richmond *Whig*, Feb. 21, 1865.

of the struggle. It is easy now to see that it should have been imposed on the crop of 1862 which would have tended to make the later impressment operations less grievous. In 1863 affairs were at a pitch where impressment became necessary: it was well then to have its scope defined by law. The convention of impressment commissioners declared with some truth that the act "is eminently wise in all its provisions and fully vindicates the purpose of the government to maintain the supremacy of the civil over the military authority."<sup>1</sup> It was not that the law was at fault but the administration of it was defective. A dissection of the complaints which I have cited and many others will demonstrate how a stringent law was rendered odious by neglect, want of uniformity and undue harshness in the execution. The sparsely settled region of the South presented grave difficulties to the efficient working out of the plan. The methods which had served this simple agricultural community in a time of peace no longer availed: a system of administration by trained officials was wanting to handle the enormous amount of business brought on by the war; and in the ingenuity requisite to devise such a system the South was far inferior to the North.

Yet though the South had no specie, no credits and no commerce but what was seriously hampered, she had land and labourers; and in utilizing these in a somewhat imperfect fashion she kept her armies and citizens from starvation and prolonged the struggle two years.<sup>2</sup>

Another criticism of the government should be noticed

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<sup>1</sup> Oct. 28, 1863, O. R., ser. iv. vol. ii. p. 901.

<sup>2</sup> *Adeimantus*. "I should like to know Socrates how our city will be able to go to war, especially against an enemy who is rich and powerful, if deprived of the sinews of war."

*Socrates*. "Our side will be trained warriors fighting against an army of rich men. . . ." Silver and gold we lack. . . . We shall be "lean wiry dogs against fat and tender sheep." And we shall be fighting against an "ordinary city" which "is in fact two cities, one the city of the poor, the other of the rich, at war with one another." — *Republic*, Book IV.

because of its wide dissemination. It is exhibited in the exposition of an alternative fiscal policy best known as that of Alexander H. Stephens. The government he urged might have obtained 4,000,000 bales of cotton from the crops of 1860 and 1861 in exchange for 200 millions in eight per cent. bonds. "With this amount of cotton in hand and pledged," fifteen of the best iron-clad steamers could have been built in Europe and five of them got ready by January 1, 1862. They would have opened one of the ports, three would have kept the port open while two would have convoyed the cotton across the water. This process would have gone on, more ironclads building and more cotton being constantly shipped ; the Confederacy would have held the cotton until its price reached 50 cents per pound, then sold it for \$1,000,000,000, paid the bonds to the planters and had a clear profit of \$800,000,000.<sup>1</sup> A variation of this scheme required that a large amount of the cotton should be sent abroad before the blockade became effective.<sup>2</sup> These enormous expectations are of course absurd but the essence of the plan is well worth a moment's consideration.

The crop year ends in August. The greater part of the crop of 1860 must have been marketed before peaceful commerce came to an end, the North and England having bought more heavily than usual presumably on account of the threatened conflict. Cotton from the new crop is not ready for export until the autumn and all the 1861 cotton which was exported had to run the blockade. The establishment of an effective blockade was a gradual process but the business of blockade-running had likewise to be developed under great difficulties ; the development of the two went on side by side with a manifest advantage in favour of the blockade. Recurring now to Stephens's plan it may be said that enough cotton had actually been secured to try it had it been in

<sup>1</sup> Johnston and Browne, p. 424.

<sup>2</sup> Schwab, p. 234 ; Johnston's Narrative, p. 422.

any way practicable. Under the provisions of the produce loan authorized May 16, 1861 400,000 bales had been subscribed before the end of the year: according to the statute this was to be sold and the proceeds invested in eight per cent. bonds, but the bureau in charge of the produce loan seems to have taken the cotton itself in exchange for the bonds and exported some of it although not a large amount.<sup>1</sup>

Unquestionably the government and people of the Confederacy worked on a wrong theory during the first year of the war. They deluded themselves with the idea that by withholding cotton they would force England and France to recognize them.<sup>2</sup> As we have seen these countries when they could not get cotton from America, got it elsewhere. But in 1862 the Confederates began to send out by various expedients all the cotton possible and this policy was continued until the end of the war. If the estimate approaches accuracy that 1,000,000 bales were burned from the commencement of the war to August, 1862<sup>3</sup> to prevent its falling into the hands of the enemy there was unnecessary and wanton destruction; nevertheless there was always cotton enough in the country: the difficulty was to send it out to Europe and the North.

Despite the official and unofficial appeals to planters many of them would not relinquish the raising of cotton to devote their land and labour to wheat and corn.<sup>4</sup> Stephens opposed the cessation of cotton culture<sup>5</sup> and Toombs expressed himself with great emphasis: "I do not care to change my crops. I wish to raise an abundant provision crop and then as much cotton as I can. . . . As to what I shall choose to plant on my own estates, I shall neither refer it to newspapers, nor to

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<sup>1</sup> Schwab, pp. 13, 26, 233; see speech of Stephens, July 11, 1861, Appleton's Annual Cyclopædia, 1861, p. 143.

<sup>2</sup> Schwab, p. 250; see also Life of Adams, C. F. Adams, pp. 266, 274.

<sup>3</sup> *Ante*, p. 281.      <sup>4</sup> Schwab, p. 277.      <sup>5</sup> Johnston and Browne, p. 424.

public meetings, nor to legislatures."<sup>1</sup> That cotton was plenty and bread and meat scarce would seem to indicate that Davis and others of his mind were right and that Stephens and Toombs were wrong.

The unequal operation of the impressment law had a tendency to diminish production and likewise induced many farmers to withhold their products from accessible markets, thus aggravating the trouble of dwellers in cities.<sup>2</sup> The steady progress of the Northern armies in 1863 and 1864 in the occupation and holding of Southern territory reduced constantly the area of food-growing region which Confederate soldiers and citizens could draw from. "Our producing territory is now so circumscribed," wrote Herschel V. Johnson, September 18, 1864, "that it will require great skill and industry to compel it to yield the requisite supplies."<sup>3</sup> The devastation of territory not permanently occupied by the Union armies increased the risk of starvation and aroused a feeling of bitterness in men who saw their wives and children suffering for the want of nourishing food. "Just think of Sheridan's proceedings in the Valley of Virginia," wrote Thomas Dabney to his children, "burning every house, barn, mill, and every stack of hay, and killing or driving off every negro, horse, mule, ox, cow and every other animated thing, leaving the entire white population without shelter or food."<sup>4</sup> "The area for subsistence is being steadily desolated by the enemy," wrote the commissary-general on December 12, 1864.

<sup>1</sup> Private letter of March, 1864, Stovall, *Life of Toombs*, p. 275.

<sup>2</sup> O. R., ser. iv. vol. ii. pp. 943, 969; vol. iii. p. 404; vol. li. part ii. p. 1066; Cleveland's Stephens, p. 789; Schwab, p. 204.

<sup>3</sup> O. R., ser. iv. vol. ii. p. 662.

<sup>4</sup> Oct. 22, 1864, Smedes, p. 225. Although Dabney wrote in bitterness of spirit, the despatches, report, and an order of Sheridan and a despatch of Custer confirm the substantial truth of his statement. See O. R., vol. xliv. part i. pp. 29-32, 35, 39, 49, 50, 55, 56; part ii. pp. 29, 202. Negroes were not killed; they were carried off or for the most part followed the Union armies. See *Diary of a Refugee*, pp. 293, 314.

"These deliberate attempts to destroy the fruits of the earth, begun cautiously and, as it were, experimentally at first, have now become the system."<sup>1</sup> After Wheeler's cavalry had burned up much corn and fodder in middle Georgia to prevent them from falling into the hands of the enemy and Sherman's army had consumed what was left the inhabitants were destitute. "There are hundreds of families that have not one ear of corn left" were words which came to Jefferson Davis.<sup>2</sup>

Reference has been made to the bearing of defective transportation on the food supply. In 1861 the railroads had already begun to deteriorate,<sup>3</sup> and as the years went on their condition got worse and worse. "The wear and tear" of a railroad is enormous and can be counteracted only by constant repair and renewal which was now impossible. In time of peace every article of railroad equipment had been purchased at the North. While freight cars were constructed at the South "every bolt and rod, every wheel and axle, every nail, spike and screw, every sheet of tin, every ounce of solder, every gallon of oil and every pound of paint" came from Northern workshops and factories as did likewise for the most part passenger cars and locomotives: if these last were sometimes made at the South the concession to local patriotism or convenience cost much in money.<sup>4</sup> At the same time with decay came increased business, one element in which was the transportation of food to great distances for the army and cities. In 1862 a good crop of corn in southern Georgia and Florida<sup>5</sup> and a poor one elsewhere east of Louisiana required equalization which the railroads were called upon to effect. They hauled a considerable amount of provisions and other freight but in 1862 and the succeeding years were utterly

<sup>1</sup> O. R., ser. iv, vol. iii. p. 931.

<sup>2</sup> Dec. 27, 1864, *ibid.*, p. 967.

<sup>3</sup> Vol. iii. p. 546.

<sup>4</sup> Report of the President and Directors of the Savannah, Albany and Gulf Railroad Company, May, 1863.      <sup>5</sup> *Ibid.*; O. R., ser. iv, vol. ii. p. 487.

unable to satisfy the demands of the government and the public. In April, 1863, there were 6300 miles of railroad in the Confederacy, exclusive of those in the hands of the enemy,<sup>1</sup> which was enough, considering that they were conveniently located, to handle the government traffic and serve the public to some extent if they could be used to the full. But owing to deterioration of the permanent way and lack of equipment few trains were run and, rated by the practice of the North at the same period, the train-load was light. An estimate in detail of the capacity of thirty-four railroads was made to the Secretary of War which showed on an average of the whole, less than two freight trains daily each way, each train carrying 122 tons;<sup>2</sup> and this estimate was undoubtedly too high to apply to regular operations throughout the year. From everywhere came complaints. Cities wanted food which the railroads could not bring. In January, 1864 it was said that corn was selling at \$1 and \$2 a bushel in southwestern Georgia and at \$12 or \$15 in Virginia.<sup>3</sup> Another Richmond authority at the close of that year was sure that every one would have enough to eat if food could be properly distributed.<sup>4</sup> The defective transportation was strikingly emphasized when Sherman's army in Georgia revelled in plenty while Lee's soldiers almost starved in Virginia.

Government work continually encroached on the ordinary business of the railroads and yet was by no means well done. The Secretary of War was seriously anxious about the "dilatory and irregular transportation on the railroads."<sup>5</sup> One of the railroad presidents informed him that at least 49,500 tons of rails were necessary annually for the maintenance of the railroads

<sup>1</sup> O. R., ser. iv. vol. ii. p. 512; Schwab, p. 273.

<sup>2</sup> April 15, 1863, O. R., ser. iv. vol. ii. p. 486.

<sup>3</sup> Richmond *Whig*, Jan. 5, 1864; see also Mobile *Register*, Feb. 4, 1863.

<sup>4</sup> Richmond *Enquirer*, Dec. 3, 1864; also Jones's Diary, vol. ii. pp. 154, 173.

<sup>5</sup> March 25, 1863, O. R., ser. iv. vol. ii. p. 457.

in the Confederacy and these could be made nowhere save at Atlanta and at the Tredegar Works, Richmond. If the Atlanta mill rolled rails exclusively it could not turn out more than 12,000 tons nor was the Tredegar's capacity more than 8000 tons per annum.<sup>1</sup> But these two mills were occupied wholly with government work which being presumably material of war was given a constant preference.<sup>2</sup> Later came the report from the railroad bureau that fifty locomotives were useless for the want of tires which could only be made at Atlanta or Richmond; furthermore no car, engine or machine shop could do "one-half the work offered it for the want of men and material."<sup>3</sup>

The public suffered as well as the army and the government. Mails were irregular and long delayed; newspapers failed to be received or when they came to hand were many days old.<sup>4</sup> The traveller on the railroad encountered difficulties and dangers, of which the two railroad guides<sup>5</sup> published at the South gave no inkling. Consulting these he might have expected in 1863 to make his journey at the rate of from fourteen to eighteen miles per hour including stops and in 1864 at a rate not greatly less. But the indications of the guides were deceptive. The traveller was lucky if his train made a continued progress of from five to eight miles

<sup>1</sup> The annual capacity of the Edgar Thomson Steel Works of the Carnegie Steel Co. Limited was in 1898, 600,000 tons of rails. Iron and Steel Works Directory, American Iron and Steel Association, p. 116.

<sup>2</sup> April 23, 1863, O. R., ser. iv. vol. ii. p. 512.

<sup>3</sup> Ibid., p. 881.

<sup>4</sup> Augusta *Chronicle*, July 13, 1862, Sept. 1, 1863; Mobile *Register*, Feb. 6, 12, March 6, 1863; Charleston *Courier*, Jan. 11, 1864.

<sup>5</sup> Hill and Company's Confederate States Railroad and Steamboat Guide, Griffin, Georgia; Lloyd's Southern Railroad Guide, published monthly, Mobile, Alabama. Several copies of these are in the Boston Athenæum. A comparison of the guides for 1863 and 1864 affords an indication of the advance of the North. Under the head of certain railroads instead of the time-table one may read: "The Yankees have possession of a portion of this road at present," or "The entire road is in the hands of the Yankees," these indications being more numerous in 1864 than in 1863.

per hour.<sup>1</sup> Trains were always late and connections were missed. Frequent accidents, many of which were fatal, happened because of the unstable condition of the permanent way and equipment. General Joseph E. Johnston on his way from Richmond to Chattanooga in November, 1862, to take command of the new department assigned him was delayed by "several railroad accidents."<sup>2</sup> Freemantle gave a good-humoured account of his experiences in June, 1863 between Charleston and Richmond. At Florence he was detained by the breakdown of another train, and when his own was at last ready he fought his "way into some desperately crowded cars." Transferred by boat at Wilmington he had a hot and an oppressive all day's ride in a "dreadfully crowded" train. "We changed cars again at Weldon," he wrote, "where I had a terrific fight for a seat but I succeeded for experience had made me very quick at this sort of business." Travelling as continuously as possible he was forty-one hours from Charleston to Richmond,<sup>3</sup> a journey which is now made in ten. Another Englishman mentions the conventional joke that "a journey from Wilmington to Richmond was almost as dangerous as an engagement with the enemy."<sup>4</sup> According to the official estimate of the capacity and the schedules, one or two passenger trains ran daily each way on the railroads<sup>5</sup> but at times the government compelled them to suspend all other service in favour of the transportation of provisions for the army and of officers and soldiers returning to their commands.<sup>6</sup> In April, 1864 a minister could not keep his engagement to preach the sermon at the opening session of the Presbyterian Anniversary at Augusta as by reason of the military necessity ordinary travel on all the railroads between that city and Richmond had been

<sup>1</sup> Richmond *Whig*, Jan. 5, 1864.

<sup>2</sup> Narrative, p. 150.

<sup>3</sup> p. 202 *et seq.* See also account of a newspaper correspondent, Mobile *Advertiser*, April 8, 1864.

<sup>4</sup> Running the Blockade, Taylor, p. 132.

<sup>5</sup> O. R., ser. iv. vol. ii. p. 486; Railroad Guides.

<sup>6</sup> Augusta *Chronicle*, March 18, 1864.

prohibited.<sup>1</sup> Vice-President Stephens gave an interesting relation of his attempted journey in May, 1864 from his Georgia home to the capital of the Confederacy when he travelled northward from Charlotte on "a passenger car attached to a train loaded with bacon for the army." On one dark and rainy night he ascertained that there was a train five minutes behind his and that the only precaution taken against a rear-end collision was the placing of a lamp on the rear platform of his car. The locomotive steamed slowly up the grades but dashed furiously down-hill. While going up a steep grade the cars broke loose from the locomotive and ran down the grade at increasing speed for two miles until, having reached the foot of one hill they began to ascend the other and finally came to a stop just in time to avoid colliding with the train behind. After a while the locomotive came back and Stephens proceeded on his journey. Stopped at Danville by a fatal accident ahead of him and learning that the railroad had been cut by the enemy between Danville and Richmond he believed that it would be almost impossible to reach the capital and therefore decided to return home. Suffering unaccountable delays he travelled part of the way on a train with a large number of "Yankee prisoners" and wounded Confederates all from the battles in the Wilderness. He had one seat reserved for him in the single passenger car; the rest of the train was made up of box cars, which the "Yankees" filled inside and out, they being given the preference in despatch to the Confederates who in their wrath swore that "the Yankees ought to be killed; but instead of that they were cared more for than the men who had been wounded in defending their country."<sup>2</sup> In September, 1864 Thomas Dabney wrote from Macon that in middle Georgia the railroads were

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<sup>1</sup> Pamphlet in Confederate collection, Boston Athenæum.

<sup>2</sup> Johnston and Browne, p. 462 *et seq.*

in the hands of the government and all private travel was excluded except on freight trains. As a special favour the wife of Governor Brown was given passage in an express car, "a close box." Dabney himself desiring to take his family, servants and furniture from Macon to Jackson, Mississippi chartered two box cars for several thousand dollars and they travelled thither on freight trains, stopping at night and not infrequently a whole day consuming two weeks on a journey<sup>1</sup> which with close connections could now be made in less than twenty hours.<sup>2</sup>

For this defective transportation from which the government and public suffered, all sorts of remedies were suggested by government officials, and railroad presidents and superintendents but most of them involved a development of manufacturing industries or an extension of commerce which was impossible. The lack of iron was the serious difficulty; a supply of it would have kept the railroads in repair. How scarce it was is implied in the request that the government impress the rails of an unprofitable railroad and give them to another company for the extension of its line. Indeed, such an expedient was afterwards resorted to. Army officers likewise frequently impressed cars and locomotives and ordered the rolling stock from one road to another without providing for its return. But on the other hand the government made appropriations of money for the completion of certain lines of railroads.<sup>3</sup>

<sup>1</sup> Diary of a Southern Planter, Smedes, p. 220.

<sup>2</sup> See also account of a trip to Chattanooga by Dr. Bachman, Charleston *Courier*, Feb. 4, 1863; the grievous complaints of passengers on the Mobile and Ohio Railroad, Mobile *Advertiser*, Dec. 3, 1863.

<sup>3</sup> O. R., ser. iv. vol. i. pp. 839, 843, 988, 1089, 1090, 1108, 1145; vol. ii. pp. 144, 201, 271, 273, 292, 382, 483, 499, 501, 503, 971; vol. iii. pp. 9, 570, 575, 1006; vol. xviii. pp. 951, 952; Statutes C. S. A., approved Oct. 2, 1862, April 16, 1863; Richmond *Whig*, Jan. 5, 1864; Richmond *Enquirer*, Dec. 3, 1864; Richmond *Examiner*, April 23, July 28, Nov. 26, 1862; Mobile *Register*, Feb. 6, 1863; Augusta *Chronicle*, May 10, Sept. 17, 1863, May 11, 1864, Feb. 18, 1865; Appleton's Annual Cyclopædia, 1863, p. 208.

The study of conditions in the South will emphasize the dependence of modern civilization on iron; it will also cause surprise that practically nothing had been done to utilize the rich deposits of iron ore and the abundance of coking coal in many of the Southern States.<sup>1</sup> Everywhere is one struck with a painful scarcity of iron. In a paper read before a railroad conference in Richmond it is suggested that the government make a public appeal for all the cast and wrought iron scrap on the farms, in the yards and houses of citizens of the Confederacy and that it establish a system for the collection from the country, cities, towns and villages of "broken or worn-out ploughs, plough-points, hoes, spades, axes, broken stoves, household and kitchen utensils" with promise of adequate compensation.<sup>2</sup> The rails of the street railroad in Richmond were taken up to be made into armour for a gunboat.<sup>3</sup> The planters of Alabama in those very regions where iron ore in abundance existed underground could not get iron enough "to make and repair their agricultural implements."<sup>4</sup> The Charleston *Courier* complained that a sword could not be made in the Confederacy.<sup>5</sup> A remark of a Union officer after the capture of Vicksburg offended the Confederate who reports it, yet it contains a wholesome criticism of a one-sided material development. The officer noticing on the iron stairway of the Vicksburg court-house, the name of a Cincinnati manufacturer moulded on it, exclaimed, Confound "the impudence of the people who thought they could whip the United

<sup>1</sup> According to the Census report there were produced in the United States for the year ending June 1, 1860, 884,474 tons of pig-iron to which only two States which afterwards became parts of the Southern Confederacy contributed; viz., Virginia and Tennessee producing together 27,513 tons. Of bar and rolled iron the whole country produced 406,298 tons, the States of the Confederacy 24,176 tons. Nearly all of the 24,176 tons was rolled in Virginia and Tennessee.

<sup>2</sup> April 22, 1863, O. R., ser. iv, vol. ii, p. 501.

<sup>3</sup> Richmond *Enquirer*, July 13, 1863.

<sup>4</sup> Jan. 6, 1864, O. R., ser. iv, vol. iii, p. 4.

<sup>5</sup> Jan. 11, 1864.

States when they couldn't even make their own staircases."<sup>1</sup> The war demand stimulated the manufacture of iron in the Confederacy; but a comparison of the iron industry at the South with that at the North under the same stimulus shows rude and early methods contrasted with a practice which though wasteful and untechnical beside the European did nevertheless meet the exigency of the moment and became the parent of the pre-eminently scientific and practical processes of the present day. The iron blast furnaces at the South were small and their construction antiquated. The fuel used was charcoal, no attempt having been made apparently to smelt the ores with coke or raw coal. In the oldest iron region, Virginia, the constant cutting of timber for a series of years had made it "alarmingly scarce." Ore existed in pockets which were soon worked out, and many furnaces had but a "precarious supply" of it which was hauled to them for miles in wagons, "in one case as far as ten miles." If ore was plenty fuel was likely to be scarce or else the converse was the case. Even if both were at hand sufficient to make ten tons daily, which was considered a large product,<sup>2</sup> it was impossible to feed the hands necessarily employed for they must depend on their own neighbourhood for supplies of bread and meat, transportation of these from a distance being out of the question. In Alabama the industry made a better showing. It was a new region; fuel and ore were abundant and food could be had. Of

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<sup>1</sup> Gregory's Annals of the War, p. 130.

<sup>2</sup> This must not be measured by modern practice. Furnaces are now recorded as having a daily capacity of 480 tons, 510 tons, and 685 tons, Directory to the Iron and Steel Works of the American Iron and Steel Association (1898), pp. viii., 19. The most important pig-iron manufacturing district at the North (1861-1865) west of the Alleghany Mountains was the Mahoning Valley (Ohio) and the Shenango Valley (Penn.) where Lake Superior ore was smelted with raw block coal in open-top furnaces. There 24 tons daily was deemed big work. I owe this information to my friend Mr. Simon Perkins.

the "large and improved" furnaces one owned by the government made an average of thirteen tons daily for a month. Georgia and Tennessee were the other iron-manufacturing States and in all of them the work was obstructed by the steady progress of the Union armies in the occupation of Southern territory. Within the year ending October 1, 1864 ten iron furnaces in Virginia, all but three in Tennessee, all in Georgia and four in Alabama had been burned by the enemy or abandoned because of his inroads. Yet in a report of November 20, 1864 it was stated that eighteen furnaces were in blast in Virginia although their work was very irregular. In return for certain privileges and assistance the government took one-half of the production of iron at a little above cost and had for the remaining half the preference over other purchasers. The amount of iron reported as received by the Nitre and Mining Bureau is surprisingly small and the figures cannot adequately measure the production which nevertheless by a liberal estimate must have been insignificant as compared with that at the North.<sup>1</sup>

Despite the unfavourable conditions under which they laboured, the Confederates did not lack munitions of war. Through home manufacture and imports by blockade-runners they always had a sufficient supply of small arms and ordnance; the small arms came chiefly from abroad, the field, siege and sea-coast artillery were produced mainly in the arsenals and workshops of the Confederacy. Their rifles were equal in efficiency to those

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<sup>1</sup> O. R., ser. iv. vol. iii. pp. 34, 695, 700, 832, 980. The receipts of iron by bureau officers, Jan. 1, 1863 to Jan. 1, 1865 were pig-iron, 19,538 tons; blooms, rolled and hammered iron, 6768 tons, p. 990; see also p. 700. This is less than the production of Virginia and Tennessee for 1860. The figures must be imperfect. From many general references and from the work accomplished, the basis of which was iron I presume that the production annually after 1861 was greater than it was in 1860 and it may have reached 50,000 tons per annum. The production of pig-iron at the North was: 1863, 947,604 net tons; 1864, 1,135,996 net tons. Iron in All Ages, Swank, p. 387.

used by the Union soldiers<sup>1</sup> and breech-loading carbines were made at Richmond for the cavalry. During the last two years of the war the Northern artillery may have been superior to the Southern. In 1861 and 1862 the Confederates captured many arms from their enemy but in 1863 the conditions were reversed and they lost at Gettysburg, Vicksburg and Port Hudson seventy-five thousand stand of small arms and in addition thereto considerable ordnance. As we have seen they obtained both arms and ammunition in the overland trade with the North. Since the Confederacy had enough, a comparison of the two armies in this respect is of little value and is made simply to show that even in this respect where the South was resourceful she was inferior in resources to the North. The national and private armouries of the Union could turn out twenty-six hundred small arms daily, while the production of the Confederate chief of ordnance did not reach a hundred although it was his opinion that if workmen could be had this quantity might be trebled.<sup>2</sup> Powder nearly sufficient for the use of the armies was made at the South, the Augusta mills having a large capacity. The supply of sulphur gave no trouble but not so that of saltpetre. Legislative and administrative reports evidence much thought for the procurement of this essential ingredient. A Nitre and Mining Bureau was established which encouraged private parties to develop the available sources of nitre supply and, since this means failed to furnish enough, began the working on government account of nitrous earths in mountain caves and other nitrous deposits. Something like one-half of the saltpetre needed was produced at home and the rest came through the blockade. Thus the best energies of the

<sup>1</sup> Except in the last year of the war when a small number of the Union infantry was armed with breech-loaders.

<sup>2</sup> Sept. 22, 1864.

Confederacy were devoted to obtaining an adequate supply of arms and ammunition and it may be affirmed with confidence that the South lost no important battle from the lack of these requisites of war.<sup>1</sup>

For the year ending June 1, 1860 the cotton factories in the States which afterwards made up the Southern Confederacy used nearly 90,000 bales turning out a product worth over \$7,000,000. It is impossible to say whether these amounts were augmented during the war.<sup>2</sup> The demand for cotton goods was largely increased and the operation of the mills was profitable but for various reasons they were not in shape to take full advantage of the bettered conditions. During the decade of 1850–1860 the manufacture was not remunerative and the machinery of the factories had not been kept up by proper repairs and renewals. Machinery, tools and other indispensable articles were now eagerly wanted but could only be had with great difficulty. The Confederate and State governments attempted to encourage these manufacturers but in the opinion of some, the encouragement was not always in the right direction and moreover the Confederate government imposed restrictions which unduly hampered them.

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<sup>1</sup> O. R., vol. liii. p. 876; ser. iii. vol. iv. p. 805; ser. iv. vol. i. pp. 864, 988; vol. ii. pp. 27, 222, 299, 350, 357, 661, 720, 955; vol. iii. pp. 677, 695, 733, 986; Confederate Statutes at Large, 1 Sess. 1862, pp. 27, 33, 38; vol. iv. p. 317; Nicolay and Hay, vol. ix. p. 225; Appleton's Annual Cyclopædia, 1862, p. 660.

<sup>2</sup> The British consul at Savannah estimated the consumption in the Confederacy for the year 1862 as fully 500,000 bales, Appleton's Annual Cyclopædia, 1862, p. 254. This was manifestly impossible. Machinery and skilled labour could not have been had to work up this amount. Moreover such a consumption of cotton would have implied nearly as great a production as was had in the New England States for the year ending June 1, 1860. Such an output is entirely inconsistent with the widespread complaints of scarcity. At the manufacturers' convention held in Augusta in May, 1864, the President said: "Contrary to all expectations at the commencement of the war, manufacturing production has not increased but retrograded." No mills "have been built and no new machinery has been put into operation." — *Augusta Chronicle*, May 26, 1864.

The public was exasperated at the high price of cotton cloth and charged the manufacturers with greed and extortion; indeed it was at one time feared that some of the mills might be destroyed by the violence of the mob. The Northern troops with their constant recovery of Southern territory in their inroads and cavalry raids burned these and other useful establishments in furtherance of their policy of rendering the war severe and cruel. Grant related a significant episode of his occupation of Jackson (Miss.): "Sherman and I went together into a manufactory which had not ceased work on account of the battle nor for the entrance of Yankee troops. Our presence did not seem to attract the attention of either the manager or the operatives, most of whom were girls. We looked on for a while to see the tent cloth which they were making roll out of the looms, with C. S. A. woven in each bolt. There was an immense amount of cotton in bales, stacked outside. Finally I told Sherman I thought they had done work enough. The operatives were told they could leave and take with them what cloth they could carry. In a few minutes cotton and factory were in a blaze."<sup>1</sup> The story of tanneries and woollen factories resembles that of the cotton industry although neither had the great advantage of an inexhaustible supply of the raw material and neither attained any such magnitude and importance.<sup>2</sup>

At a manufacturers' convention held in Augusta in May, 1864, the President setting forth prominently in his address the disadvantages he and his associates laboured under, declared, "Fifty or sixty millions of dollars have

<sup>1</sup> May, 1863, Personal Memoirs, vol. i. p. 507.

<sup>2</sup> My authorities for the cotton industry, etc., are the Census report of 1860; O. R., ser. iv. vol. i. p. 844; vol. ii. pp. 111, 183, 204, 350, 855; vol. iii. pp. 500, 691; Confederate Statutes at Large, 1862, p. 69; Richmond *Examiner*, Oct. 7, 1862; Augusta *Chronicle*, May 26, 1864; Jones's Diary, vol. i. p. 203; Appleton's Annual Cyclopædia, 1862, p. 496; 1863, p. 651; Schwab, p. 271; O. R., vol. xxxii. part ii. p. 562.

gone into blockade-running while scarcely a new dollar has gone into manufacturing."<sup>1</sup> Whether or not these figures be exact, they represent a tendency clearly perceptible in the study of Southern business conditions. Capital was attracted to blockade-running by its enormous profits. This trade in 1861 was of an improvised character and was carried on by Southern coasting steamers, whose regular business was gone, and by small craft which though slow had little difficulty at first in evading the blockade and reaching some near-by neutral port. Vessels laden with arms, munitions of war and merchandise cleared from Great Britain for some port in the West Indies but their true destination was the Southern Confederacy and when their voyage was successful they brought back cargoes of the Southern staples. As adventurous business men in England and in the Confederacy became accustomed to the state of war and had constantly before their eyes the high price and scarcity of cotton in England and the low price and plenty in the Confederacy<sup>2</sup> with the necessities of life in the reverse order, they discerned in these conditions a rare opportunity for a profitable trade. Meanwhile the blockade was becoming steadily more stringent and the business of avoiding it grew from the haphazard methods of its earlier days into a regular system. Arms, munitions of war, blankets, army cloth, shoes, tea, soap, letter paper and envelopes, fine fabrics of cotton, linen, wool and silk, cases and barrels of medicines, liquors, wines and other merchandise were shipped from England to Bermuda, Nassau or Havana, and there transferred to blockade-runners which made their way to Wilmington, Charleston, Savannah, Mobile or Galveston. If these ports were quickly reached a quick

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<sup>1</sup> *Augusta Chronicle*, May 26, 1864.

<sup>2</sup> An ordinary price of cotton at a shipping port in the Confederacy was 6d. per pound. In Liverpool in the spring of 1862, 13d.; March, 1863, 22d.; 1864, 28 d. to 31½ d. per pound. Schwab, p. 30 *et seq.*

and lucrative market was found for the cargo; and a return load of cotton, or occasionally tobacco or turpentine, was brought to Nassau, Bermuda, or Havana, and there transhipped to the vessel which carried them to England. The blockade-runners were now specially constructed for their trade and a typical one of 1863-1864 was a low, long, narrow, swift, side-wheel steamer with light draught and a capacity of four to six hundred tons. The hull was painted a dull gray or lead colour which rendered the vessel invisible, unless at short range, even in daylight. In order to avoid smoke Pennsylvania anthracite was used when it could be had otherwise Welsh semi-bituminous coal. Nassau was the most important neutral and Charleston and Wilmington the most important Confederate ports in this trade. The blockade-runner left Nassau at an hour that would bring her off Charleston or Wilmington at night and the running of the blockade was rarely attempted unless there was no moon. When near the blockading squadron all lights were put out, the engine-room hatchways and binnacle were covered with tarpaulin and the steamer made her way forward in utter darkness. No noise was permitted; necessary orders and reports of soundings were given in muffled voices; steam was blown off under water. Often the blockade-runners escaped without being seen, sometimes they were chased but escaped, sometimes the pursuit was so hard that they ran ashore or were captured. It was a keenly contested game between them and the blockaders only to be played by those loving the sea. "This blockade-running is an extraordinary instance of British energy and enterprise" was the remark of Freemantle when he was at Wilmington. The French partner in the house of Frazer & Co. (a Charleston firm with a Liverpool connection largely interested in blockade-running) was eager to have a French vessel in the trade and a ship was set apart for this purpose. To make her legally French a

French captain and crew were necessary and although very high wages were offered to secure them they were not to be had: but enough officers and sailors for such craft could always be engaged in Liverpool.<sup>1</sup>

The tales of the blockade-runners are highly interesting full as they are of the spice of adventure. Battling with the sea in overloaded craft specially constructed to avoid other danger; feeling their way through the blockading squadron; now painfully making their port without regularly set lights, now detected, pursued and resorting to all manner of tricks to elude the pursuers; loving fog, darkness and mystery—they were cool, fearless, nerveless men, and their stories are romantic to a degree. Less thrilling, the tale of the blockader. The blockade-runner chose his own time and had the excitement of the attempt but the blockader must be always vigilant in his prolonged inaction. After days and nights of anxious watching, the emergency, lasting brief minutes, might come when least expected. The great extent of coast,—so much of it having a double line, with numerous inlets—and the necessity for the blockading ships to ride out the gales at anchor close to a hostile shore, made of this blockade an operation probably without precedent: it was certainly the first time that the evaders of a blockade had the powerful help of steam.<sup>2</sup> The eager desire to obtain cotton was another novel element and the proximity of friendly neutral ports an advantage of moment. The effective work of the United States navy is measured by the number of captures<sup>3</sup> and the increasing difficulty of evading the blockade. Gradu-

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<sup>1</sup> *Three Months in the Southern States*, p. 203.

<sup>2</sup> In the Gulf of Mexico a considerable number of small sailing vessels were engaged in blockade-running and more sailing vessels than steamers were captured by the blockaders. But the literature of the subject conveys the decided impression that the large proportion of the work was done by the steamers, the amount of cotton or other freight carried by the sailing vessels being very small.

<sup>3</sup> *The Blockade and the Cruisers*, Soley, p. 44.

ally port after port was practically closed until none were left but Charleston and Wilmington. Wilmington owing to the peculiar configuration and character of the coast and the large island at the entrance of Cape Fear River was the most difficult port of all to blockade and in 1863 and 1864 its trade with Nassau and Bermuda was large. On June 16, 1863 Freemantle passing through Wilmington counted "eight, large steamers, all handsome, leaden-colored vessels, which ply their trade with the greatest regularity."<sup>1</sup> Blockade-running continued to this port until the taking of Fort Fisher in January, 1865 but the risk of capture during the last six months of activity was great. Charleston remained open until the northward march of Sherman compelled its evacuation but for a long while before this time only the best-constructed steamers could run the blockade and even their success was rare. This work of the United States navy was an affair of long patience unrelieved by the prospect of brilliant exploits; lacking the incitement of battle it required discipline and character only the more. But the reward was great; for the blockade was one of the effective agencies in deciding the issue of the war.

Exact statistics of an irregular trade carried on by blockade-running are of course impossible but an idea of it may be had from certain reports. It was said that the steamer *Kate* made forty-four successful trips.<sup>2</sup> From February to August, 1863 four boats, built in England by Major Caleb Huse of the ordnance department with money "obtained mainly on the credit of cotton the boats were to bring out," made between Bermuda and Wilmington twenty-two voyages "without a single loss."<sup>3</sup> On June 1, 1863 the United States consul at Nassau reported the names of twenty-eight steam vessels which had since the previous March 10 sailed from

<sup>1</sup> p. 202.

<sup>2</sup> Nov. 29, 1862, Official Records of the Navies in the War of the Rebellion, vol. i. p. 562.

O. R., ser. iv. vol. ii. p. 984.

Nassau to some port in the Confederacy ; of the twenty-eight, thirteen<sup>1</sup> were captured or driven on shore and destroyed. Rating this business by voyages is more favourable to the skill or fortune of the blockade-runners. Careful inquiry satisfied the consul that the trips to the Confederate port and return would average two to each steamer, making a total of fifty-six, one capture occurring in about four and one-third voyages.<sup>2</sup> Later reports evidence a greater stringency of the blockade. The acting rear-admiral of the North Atlantic Blockading Squadron wrote on September 15, 1864 : "The blockade of the bars of Wilmington is now I sincerely believe as close as human agency can make it with the means at my command ;" on September 30 he published certain data from Confederate sources pointing to the same conclusion ; and he gave the names of fifty blockade-runners which had been captured or destroyed from August 1, 1863 to September 30, 1864.<sup>3</sup> "So many vessels have been unsuccessful in reaching Wilmington for the last few days," wrote the United States consul at Nassau on November 7, 1864, "they are looking out for other ports to employ the large and accumulating fleet now here and expected."<sup>4</sup> If the aim had been to destroy instead of capture the blockade-runners fewer of them would have escaped and, the profit being therefore less, fewer would have engaged in the trade : it was the prize money which made officers and men eager to secure the valuable cargoes. If we go to Southern sources we shall find that in the year 1864 a considerable business was done. In the months of May and June according to the Confederate Secretary of the Treasury forty-three steamers entered Wilmington and Charleston. But in the summer of that year yellow fever broke out in "the islands"<sup>5</sup>

<sup>1</sup> Eight were captured ; five were forced to run ashore to avoid capture and were destroyed.

<sup>2</sup> O. R., Navies, vol. ix. p. 80.

<sup>4</sup> Ibid., p. 602.

<sup>3</sup> Ibid., vol. x. pp. 454, 502.

<sup>5</sup> The Bermudas and Bahama Islands.

and also in the Southern ports causing a serious interruption to the traffic which on the abatement of the epidemic was resumed. From November 1 to December 6 Charleston and Wilmington rejoiced again in the arrival of forty-three vessels.<sup>1</sup>

The profits of the business were enormous. Steam presses at Wilmington reduced the cotton to the smallest possible bulk and the blockade-runners carried from 500 to 1200 bales. The *Banshee* one of the earliest built and not one of the largest and best steamers made eight successful round trips; on the ninth she was captured but she had paid her shareholders 700 per cent on their investment.<sup>2</sup> The *Robert E. Lee* (also not one of the largest) cost £32,000 in England, ran the blockade twenty-one times, carrying out 6000 to 7000 bales of cotton worth at the time, according to Wilkinson her commander, about \$2,000,000 in gold; she carried equally valuable cargoes into the ports of the Confederacy.<sup>3</sup> The gross receipts of the *Banshee No. 2* for one voyage were £85,000.<sup>4</sup> While the expenses were immense extraordinary wages being paid to captain, pilot and crew Professor Soley is within bounds when he states that a profit of £30,000 each way was a not uncommon return and that two successful voyages compensated the owners for the loss of the vessel on her third.<sup>5</sup> Certain firms in England of whom the most important were Frazer, Trenholm & Co., The Bee Company and Collie & Co. had connections in the Southern States and were largely engaged in this trade.<sup>6</sup>

In May, 1863 Seddon, the Confederate Secretary of War, wrote that the tendency of the congressional legislation had been to encourage the running of the blockade and such was the destitution among the

<sup>1</sup> O. R., ser. iv. vol. iii. p. 954.   <sup>2</sup> Running the Blockade, Taylor, p. 85.

<sup>3</sup> Narrative of a Blockade Runner, Wilkinson, pp. 106, 175.

<sup>4</sup> Taylor, p. 144.

<sup>5</sup> The Blockade and the Cruisers, p. 106.

<sup>6</sup> Four Years in Rebel Capitals, De Leon, p. 280.

people of useful articles made abroad that in his opinion this was the true policy, although some men in the trade infringed the statute and brought in "Yankee manufactures" for which presumably cotton found its way to New York.<sup>1</sup> But sentiment in the army and among the people began as early as in 1863 to frown upon this trade. "Charleston," wrote General Whiting, "is possessed with the demon of speculation caused by this infernal blockade-running and Wilmington has many in it now carried away in the same manner. It is demoralizing and damnable."<sup>2</sup> The flaunting extravagance of men engaged in the business when they came to take their ease and indulge in material delights at the capital and the belief that the trade took specie out of the country and therefore depreciated the Confederate notes caused murmurs in Richmond.<sup>3</sup> At Charleston Freemantle wrote that the traffic was looked upon generally as a regular gambling speculation and the opinion prevailed that it "ought to be stopped except for government stores and articles necessary for the public welfare."<sup>4</sup> From Mobile came the complaint that most of the proceeds of the cotton was "laid out in brandies, wines and flimsy gewgaws that bring exorbitant prices and but little in articles that produce substantial good." The trade "is corrupting our people; it is turning all their hearts and souls to speculating; . . . and above all this it is ruining our currency."<sup>5</sup>

<sup>1</sup> O. R., ser. iv, vol. ii, p. 547. John Milton, governor of Florida wrote June 25, 1862 that cotton was sent from the ports of his State to New York City either direct or via Havana and Nassau to exchange for coffee, salt and dry goods. O. R., ser. iv, vol. i, p. 1173. The Richmond *Dispatch* of Aug. 14, 1863 said, "It is well known that the great bulk of the goods entered at Charleston and elsewhere are from Yankee land;" these were paid for with cotton or gold; also Atlanta *Intelligencer* cited by Charleston *Courier* Sept. 23, 1863. The Richmond *Enquirer* of Aug. 22, 1864 made the charge that blockade cotton went to the North.

<sup>2</sup> June 8, 1863, O. R., vol. xxvii, part iii, p. 870.

<sup>3</sup> Richmond *Examiner*, April 21, June 24, 1863.

<sup>4</sup> p. 185.

<sup>5</sup> June 11, 1863, O. R., ser. iv, vol. ii, p. 585.

The Confederate government was not blind to the benefits which ought to accrue to the army from this traffic. They endeavoured to arrange with private blockade-runners to bring them needed supplies but when the charge for the freightage of a three-hundred-ton steamer from the West India islands to one of the Southern ports rose to \$2,000,000 in Confederate currency they began to devise other means. So far as they had money or credit to spare they bought blockade-runners. In 1863 four were owned and run by the War Department but these fell far short of supplying the needs of the army. The government also made contracts with companies and merchants engaged in blockade-running who thereby reserved for cotton received from the Confederate authorities one-third to one-half the tonnage of their outward bound vessels and a like space for the inward freight.<sup>1</sup> But the shifts that must be made owing to the government's being in the position of a suppliant, the dislike of some blockade-runners to lessen their profits by bringing in goods for the army, the non-fulfilment of some contracts, the derangement of plans consequent upon the loss of steamers (such for example as that of the *Hebe* and *Venus* owned in partnership by the Confederate States and Collie & Co.)—these difficulties enforced by the public's unfriendly attitude toward the speculators and by the desire of the government to secure a large part of the trade advantage compelled the adoption of a different policy.<sup>2</sup>

The possibilities for the government in the business were brought saliently to their attention by some de-

<sup>1</sup> Seddon, Nov. 26, 1863, O. R., ser. iv. vol. ii. p. 1013; see also pp. 472, 714. It is said that the War Department required all vessels to devote one-third of the tonnage to the government, O. R., ser. iv. vol. iii. p. 964, but there were certainly very many exceptions to the rule.

<sup>2</sup> Ibid., ser. iv. vol. ii. pp. 658, 682, 828, 895, 896, 910; vol. lii. part ii. pp. 518, 531, 723.

spatches received by the Secretary of the Treasury in November, 1863 from C. J. McRae the Paris agent of the Erlanger loan. Writing on October 7, McRae said that from January 1, 1863 the receipts of American cotton at Liverpool had been 100,000 bales of an average value of £40 per bale or £4,000,000, "double as much as the Erlanger loan will net (if all sold) which will require 260,000 bales of cotton." Such an amount of money might be realized if the government would purchase all the cotton and tobacco in the South and take complete control of the export and import trade; the planters would get as much for their products as by the prevailing system but the government would make the profit instead of the "speculators and extortioners."<sup>1</sup> These despatches were referred to the War Department and Judge J. A. Campbell, Assistant Secretary of War recommended "that an absolute control of the trade in cotton, tobacco and naval stores should be assumed by the government." In this his chief, Seddon, concurred.<sup>2</sup> At about the same time Captain Bulloch the naval representative of the Confederacy in Europe stationed in England gave to the Secretary of the Navy the same fact concerning the amount of cotton which had been run through the blockade and, after showing that cotton was the surest thing to get money with, urged the government to take the blockade-running business into their own hands. "I can build two or three fast light-draught paddle steamers" at once, he said; and you may "soon have a fleet of formidable, swift, light-draught steamers at work."<sup>3</sup>

The effect which these recommendations and the patent facts had on the Confederate President and Congress may best be indicated by citations from two of Jeffer-

<sup>1</sup> O. R., ser. iv. vol. ii. p. 982. For the Erlanger loan see my vol. iv. p. 367, note 1; Schwab, p. 33.

<sup>2</sup> O. R., ser. iv. vol. ii. p. 987.

<sup>3</sup> Secret Service of the Confederate States, vol. ii. p. 224.

son Davis's messages. "The Government," he said, "was without any means of making available the cotton and tobacco in its possession for the purchase abroad and importation of supplies essential to the conduct of the war and the efficiency of the Army, other than two or three steamers [there were four, *ante*] belonging to the departments, and such steamers belonging to private owners as could be obtained by contract. The prices charged to the Government were too excessive to be borne, while the profits of the private owners were so great as to enable them by the payment of extravagant wages and rewards to secure (against the possibility of competition on the part of the Government) the choice of the pilots, engineers and other officers available for the service. The large majority of those engaged in the trade were foreigners who, by the aid of the fortifications and defences established and maintained in our harbors at the Confederate expense were thus enabled to accumulate rapid fortunes." Again he wrote: "Complaints were rife through our country that its foreign commerce was almost exclusively in the hands of aliens; that our cotton, tobacco and naval stores were being drained from the States and that we were receiving in return cargoes of liquors, wines and articles of luxury; that the imported goods being held in few hands and in limited quantities, were sold at prices so exorbitant that the blockade-runners, after purchasing fresh cargoes of cotton, still retained large sums of Confederate money, which they invested in gold for exportation and in foreign exchange; and that the whole course of the trade had a direct tendency to impoverish our country, demoralize our people, depreciate our currency and enfeeble our defence. Congress believed these complaints well founded, and in that belief I fully concurred."<sup>1</sup>

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<sup>1</sup> June 10, 1864, Dec. 20, 1864, O. R., ser. iv. vol. iii. pp. 553, 949.

On February 6, 1864 the Confederate Congress passed an act prohibiting the importation of luxuries and in the act were enumerated the articles under the ban. In them were included: brandy, wines or other spirits, beer, ale and porter; fur muffs and tippets, carpets and hearth-rugs, cotton laces or laces of thread; dolls and toys, firecrackers, skyrockets and Roman candles; furniture, stained or coloured glass, velvets of all kinds, jewellery, diamonds, mosaics, gems, pearls and rubies. The importation of wearing apparel made from cotton, linen, wool or silk was not prohibited but it was the duty of the Secretary of the Treasury to prescribe the maximum foreign prices at which these might be admitted.<sup>1</sup> On the same day an act was passed prohibiting the exportation of cotton, tobacco, military and naval stores, sugar, molasses and rice, "except under such uniform regulations as shall be made by the President of the Confederate States."<sup>2</sup> The government did not attempt to control the whole commerce; and the regulations made by the Secretary of the Treasury and the Secretary of War and approved by Davis on March 5, 1864 seemed to have been devised to get for the government as large a share of the benefit of the trade as possible without making it unprofitable for private parties to continue their operations. The government exacted from every vessel the use of one-half of her freight capacity outward and inward paying in coin or exchange five pence sterling per pound freight on cotton and tobacco outward and £25 per ton on the inward cargo payable in cotton at ten pence the pound. The government further required that at least one-half of the net proceeds of the owner's part of the cargo should either be invested in goods to be shipped to the Confederate States or else paid in coin or sterling exchange to their proper agent. The owner should be reimbursed with cotton at ten pence

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<sup>1</sup> O. R., ser. iv. vol. iii. p. 78.

<sup>2</sup> Ibid., p. 80.

the pound delivered to him at the shipping port in the Confederacy.<sup>1</sup> At first the owners of many vessels refused to accept the conditions alleging that under them they could not make a profit sufficient to warrant their continuance in the trade.<sup>2</sup> A number of States having gone into blockade-running on joint account with private parties now complained that the government regulations interfered with this business to such an extent that it could no longer be carried on except at a loss. So strong was this pressure that the Confederate Congress passed an amendment to the act of February 6 exempting from the regulations vessels already chartered by the States; but President Davis interposed his veto,<sup>3</sup> being indeed of the opinion that a number of owners of blockade-runners had effected comparatively favourable charters with the States for the express purpose of evading the government regulations.<sup>4</sup> In the remote parts of the Confederacy no attention was paid to the law for some time. Seddon heard of the arrival at Havana from trans-Mississippi ports of two vessels laden with cotton exclusively for private owners' account.<sup>5</sup> Even in Richmond it was complained that a large amount of luxuries were still imported.

Despite these drawbacks Davis and his Secretary of the Treasury were pretty well satisfied with the working of the act the enforcement of which except in Texas could not have been difficult. They maintained that the number of vessels engaged in foreign commerce had increased, this fact and others showing that the profits under the regulations were tempting. Shares of one company of a par value of \$1000 sold in July for \$20,000 and in December for \$30,000; shares of another advanced

<sup>1</sup> O. R., ser. iv. vol. iii. pp. 187, 554.

<sup>2</sup> Ibid., p. 554.

<sup>3</sup> Ibid., pp. 161, 303, 380, 552-555; vol. li. part ii. pp. 837, 841. This veto message is dated June 10, 1864.

<sup>4</sup> Ibid., ser. iv. vol. iii. p. 552.

<sup>5</sup> May 5, 1864, ibid., vol. liii. p. 1007; also vol. xxxiv. part iv. p. 666.

in the same period from \$2500 to \$6000. G. A. Trenholm, who was now the Secretary of the Treasury and a partner in the firm of Frazer & Co. of Charleston and Frazer, Trenholm & Co. in Liverpool that did a large business in blockade-running, made a careful report in which he showed the benefits which had accrued to the government. On July 1, 1864 the trade was placed under the control of the Treasury Department and from that date to December 1 10,522 bales of presumably government cotton had safely reached foreign ports. This at a moderate valuation was worth £320,000 which would buy supplies to the amount of \$45,000,000 as measured in Confederate currency.<sup>1</sup>

This result which Trenholm states with evident satisfaction was far from realizing the expectation of McRae who however in conjunction with Captain Bulloch was energetically at work in England. They bought four paddle steamers in the stocks which had each a capacity of 800 bales of cotton and they contracted for the building of eight more paddle steamers and two twin screw vessels, having a capacity varying from 700 to 1500 bales of cotton. McRae himself had purchased or directed to be purchased a large amount of clothing and quartermaster's supplies, medical stores and munitions of war and in his letter of July 4, 1864 to Seddon he sent this gratifying word, "Our credit begins to grow stronger and by proper management will soon be available for all our wants." He attributed the strengthening of their credit partly to the statute and regulations governing the foreign commerce of the Confederacy.<sup>2</sup> Bulloch

<sup>1</sup> Trenholm's report is dated Dec. 12, 1864, Davis's message Dec. 20, O. R., ser. iv. vol. iii. pp. 948-958. These are some of the dividends of blockade-running companies : No. 3, \$1500 per share ; No. 1, \$1000 a share in currency ; No. 3, £50 sterling and \$2000 currency per share ; No. 8, \$800 per share currency, Charleston *Courier*, Dec. 29, 1864, Jan. 10, 11, 18, 1865.

<sup>2</sup> O. R., ser. iv. vol. iii. p. 525 ; Bulloch, Secret Service of the Confederate States, vol. ii. p. 237 *et seq.* For the advance in Confederate bonds in England in 1864 see Schwab, p. 36.

gives the later history of these fourteen blockade-runners. Six reached the South in time "to make one or more voyages through the blockade, two or three" were on the way and "five or six were not completed" when the war came to an end.<sup>1</sup>

Considerable cotton was exported from the Mexican town of Matamoras which is situated on the Rio Grande River opposite Brownsville, Texas. Texas was a cotton-producing State but none of her railroad mileage and none of her navigable rivers were available for this trade. Ox and mule teams brought cotton over the plains from great distances, sometimes as far as four hundred miles, to Brownsville whence it found its way easily to Matamoras and the mouth of the river and was then exported. Needed supplies brought to Matamoras were sent back by the same conveyances and distributed to different parts of the Confederacy. After the capture of Vicksburg and Port Hudson the trade in merchandise became less important as it could not be taken east of the Mississippi River but the export of cotton continued.<sup>2</sup>

How much cotton was shipped through the blockade and from Matamoras is an interesting inquiry. Hammond prints a table showing receipts of cotton from the United States during 1862, 1863 and 1864 by Great Britain 402,000 bales and by the Continent 139,000, a total of 541,000 bales.<sup>3</sup> It all came practically from those two sources. During the war cotton was almost uniformly dearer in New York than in Liverpool with the result that the Northern States not only attracted nearly all

<sup>1</sup> Bulloch, vol. ii. p. 243.

<sup>2</sup> O. R., vol. xxvi. part ii. pp. 78, 184; vol. xxxiv. part iv. p. 643; vol. liii. pp. 845, 868, 874, 882, 885, 950, 978, 992, 995; ser. iv. vol. iii. p. 206; Freemantle, pp. 8, 33, 53, 64; Adventures of a Blockade Runner, Watson, p. 19 *et seq.*; Mahan's Farragut, p. 240; Soley, p. 37.

<sup>3</sup> p. 261. I have had these figures verified by a reference to the *Commercial and Financial Chronicle* and Ellison's tables which are Hammond's authorities, and have arrived at the conclusion that his statistics have been correctly drawn from his originals.

that was shipped from the Southern ports in possession of the United States but also all cotton captured in the blockade, or in transit overland, and some even which had run the blockade. Late in 1861 and early in 1862 American cotton was sent from Liverpool to New York.<sup>1</sup> Measured by the fragmentary statistics scattered through the Official Records and those collected by Professor Schwab<sup>2</sup> the total of 541,000 bales seems large but we have a chance to verify the figures for 1863. Both McRae and Bulloch, as I have said previously, reported the receipts of American cotton at Liverpool from January 1 to October 1, 1863 as 100,000 bales. McRae's authority was "a statement of the Liverpool cotton market" and Bulloch got his information from Charles R. Prioleau the resident partner in Liverpool of Frazer, Trenholm & Co.<sup>3</sup> Now 100,000 bales for nine months is a little more than 132,000 for the whole year which is according to Hammond the total import into Great Britain for 1863. The fragmentary statistics of receipts of munitions of war and merchandise set down in the Official Records makes one again doubt whether so much cotton could have been sent abroad without larger avails. But this discrepancy might perhaps be accounted for by the enormous profits absorbed by the blockade-runners.<sup>4</sup>

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<sup>1</sup> Hammond, p. 261.

<sup>2</sup> p. 238, but see O. R., vol. liii. p. 971.

<sup>3</sup> Ibid., ser. iv. vol. ii. p. 985; Bulloch wrote that Prioleau's statement was from the beginning of the war to October, 1863; but I have assumed that McRae's dates were meant.

<sup>4</sup> My principal authorities for this account of blockade-running are: O. R., vol. li. part ii.; ser. iv. vols. ii., iii., *passim*; O. R., Naval, vols. i., vi., ix., x., xi.; Richmond *Whig*, *Examiner*, *Dispatch*, 1863, *Enquirer*, 1864; Charleston *Courier*, 1863, 1864; *Running the Blockade*, Taylor; *Narrative of a Blockade Runner*, Wilkinson; *Adventures of a Blockade Runner*, Watson; *Secret Service of the Confederate States*, Bulloch, vol. ii.; *The Blockade and the Cruisers*, Soley; *Three Months in the Southern States*, Freemantle; Schwab; *Die Blockade der nordamerikanischen Südstaaten*, von Halle; *Life of Yancey Du Bose*, p. 698; *Jones's Diary*, vol. ii. p. 375.

Closely connected in its influence and results with blockade-running was the overland cotton trade with the North. The policy of the Confederacy in this matter was as vacillating and inconsistent as that of the Union.<sup>1</sup> By the act of May 21, 1861 the Confederate Congress prohibited the exportation of cotton except through the seaports of the Confederate States.<sup>2</sup> At first as we have seen a spirit of patriotism coped with a real or supposed military necessity by burning a great deal of cotton. As late as March, 1862 this policy met with some favour in the Confederate Senate a senator from Mississippi declaring, that, "he was in favor of burning all the cotton we now had and planting no more until the world was disposed to do us justice." He was replied to by a senator from Louisiana who said: "I long since abandoned the idea that cotton is king. . . . We have tested the powers of King Cotton and have found him to be wanting."<sup>3</sup> The great staple however remained the most efficient instrument in the possession of the South for obtaining the necessary supplies to carry on the war. The Confederates would have preferred to confine this commerce to England and France but the amount of cotton shipped through the blockade was far from being sufficient to provide for their wants. There were also good cotton regions from which communication was difficult with the shipping ports but was easy with the Federal lines and with river points of shipment, whence the cotton could be transported to the North. Therefore trade sprang up with the United States. Nashville, Memphis and New Orleans after they were occupied by the Union troops, became important marts for this sort of traffic.<sup>4</sup> But commerce with

<sup>1</sup> *Ante*, chap. xxvii.

<sup>2</sup> Statutes at Large, Sess. II., Provisional Congress. The act permitted the export of cotton to Mexico.

<sup>3</sup> Appleton's Annual Cyclopædia, 1862, p. 261.

<sup>4</sup> Ibid., 1862, p. 765; *ante*, chap. xxvii.; O. R., vol. lii. part ii. p. 370.

the enemy naturally gave rise to complaints some of which were transmitted to the War Department at Richmond,<sup>1</sup> which however had itself given an authorization to certain citizens in Mobile to trade cotton for supplies at New Orleans, then under the command of General Butler. Benjamin, the Secretary of State had given a cotton permit for trade with the "Yankees" on the Atlantic and Gulf coast.<sup>2</sup> The commissary-general reported that the army could not be subsisted unless some supplies were obtained from the North and the Secretary of War (who was then George W. Randolph) sanctioned this report by telling Davis on October 30, 1862 that if cotton were withheld from the enemy the armies would run the risk of starvation. Randolph was of the opinion that the statutes did not forbid the government's trading with the enemy and that no principle of public law prohibited such trade which indeed was an ordinary occurrence in European wars. Commerce with the enemy was an evil, but a lesser one than starvation of the armies, therefore he advised that contracts be made with Northern citizens for bacon, salt, blankets and shoes, payable in cotton.<sup>3</sup> In this dilemma Davis shrank from decision which indeed he thought might be postponed until the following January. Meanwhile he authorized the trading of cotton for salt with a French commercial house, the stipulation being that none of the cotton should go to any port of the enemy;<sup>4</sup> but as the seat of this trade was New Orleans it could not go on without the permission of Butler, who, as we have seen, was active in fostering commerce between the two belligerents.<sup>5</sup>

Although Davis did not give his formal consent to

<sup>1</sup> O. R., ser. iv. vol. ii. p. 141; *Richmond Examiner*, Jan. 23, 1862.

<sup>2</sup> Jones's Diary, vol. i. p. 180.      <sup>3</sup> O. R., ser. iv. vol. ii. p. 151.

<sup>4</sup> Jones's Diary, vol. i. pp. 180, 185, 191, 205, 218; O. R., vol. iii. part ii. pp. 383, 393, 394, 412.

<sup>5</sup> *Ante*, chap. xxvii.; O. R., vol. iii. part ii. p. 387.

effecting arrangements with the enemy he suffered them to be made. James A. Seddon became Secretary of War November 21, 1862 and, approving in this regard the policy of his predecessor, entered into contracts "with certain parties expecting to fulfil them by supplies [especially shoes and blankets] illicitly drawn from within the Federal lines":<sup>1</sup> a number of these contracts were made in the Department of Mississippi and East Louisiana, of which Pemberton was the general commanding. Pemberton was visited by Davis during his tour of the Southern armies in January, 1863 and being strongly opposed to all this trade whatsoever was glad to find that he and his President were in substantial agreement. From Davis he obtained authority to stop all the commerce except the forwarding of cotton to pay for articles already received. He accordingly annulled all contracts in his department but to his disappointment unauthorized and illicit trading continued. He complained of this to the Secretary and this complaint gave Seddon May 2, 1863 the opportunity to restate his opinion, that "the introduction of real necessities, even in exchange for cotton and from the enemy, is judicious and almost essential."<sup>2</sup>

The continuance of the commercial intercourse was sometimes under a quasi-authority or was winked at for the general good or permitted because officers in charge were secretly interested in the trade. Imputations upon the integrity of the quartermasters under Pemberton, wrote Seddon to Joseph E. Johnston, "have come again and again to the Department."<sup>3</sup> The history of the traffic from Southern is like that from Northern sources,

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<sup>1</sup> O. R., vol. xvii. part ii. p. 839.

<sup>2</sup> Ibid., vol. lii. part ii. pp. 412, 413, 427, 453, 460, 465. Seddon also states his position, vol. liii. p. 850; ser. iv. vol. ii. p. 334. For a strong argument in favour of the commerce from a citizen of Louisiana, see *ibid.*, p. 854.

<sup>3</sup> Feb. 14, 1863, O. R., vol. xxiv. part iii. p. 625.

a tale of demoralization and corruption as well as vacillation, but the South being the invaded country the taint there infected people as well as soldiers and officers. General Leonidas Polk wrote to Davis from Alabama that planters and citizens resorted to all sorts of measures to sell their cotton to the enemy for money or supplies, even to the bribery of soldiers guarding the roads to let them pass through the lines. This "illicit trade" led to "absenteeism, murder and robbery" but to stop it would require his whole force. He thought that the only remedy was for the government to take possession of all of the cotton by purchase or impressment.<sup>1</sup> This, he wrote later to De Bow is a moral, financial and military necessity. If the policy be adopted we can sell the cotton North for gold or army supplies; if not we shall get no cotton, and "public—nay I fear private—morality" will not be restored.<sup>2</sup> Polk's recommendation was not, so far as I have been able to discover, adopted by the government, but he continued his opposition to the private traffic and hearing that cotton was "passing freely through Memphis" he ordered the confiscation of "all wagons and teams engaged in this business."<sup>3</sup> The same rigour had been shown previously in another department. The major-general commanding the cavalry in Mississippi ordered the confiscation of all wagons and teams "caught carrying cotton into the lines of the enemy" and the destruction of all the cotton that could be got at by Northerners.<sup>4</sup> The seizure of wagons and teams led to a conflict between the civil and military authorities. In north Mississippi writs were issued for the recovery of these wagons and teams and the cavalry general asked for instructions from his superior officer Joseph E. Johnston

<sup>1</sup> April 27, 1864, O. R., vol. xxxii. part iii. p. 833; also vol. lii. part ii. p. 663.

<sup>2</sup> May 2, 1864, ibid., vol. xxxix. part ii. p. 573.

<sup>3</sup> Ibid., vol. xxxix. part ii. p. 575.

<sup>4</sup> Sept. 4, 1863, ibid., vol. xxx. part iv. p. 593.

who telegraphed at once "maintain such confiscations."<sup>1</sup> The general continued to use his best efforts "to prevent the illicit traffic which is so demoralizing our people on the frontiers." He still insisted on the confiscation of the teams and the property ; the cotton should be burned, the wagons employed in the service and the goods coming from the enemy should be appropriated for the use of the army. Yet, he further said, "I do not desire you to resist forcibly the writs served on you."<sup>2</sup> In the meantime the matter had been referred to the War Department at Richmond. Judge J. A. Campbell, Assistant Secretary of War, and after Benjamin the ablest lawyer in the Confederacy, declared that the seizure of the property had been without law or orders and was in defiance of the constitution of the Confederate States ; he ordered that the property be restored unless some judicial proceeding was taken to hold it.<sup>3</sup>

In the Trans-Mississippi Department under the command of General E. Kirby Smith<sup>4</sup> this intercourse and the vacillation of one of the generals who had to deal with it may be studied to advantage. On January 11, 1864 General Richard Taylor<sup>5</sup> called the attention of his chief to the hardship suffered by owners on account of the burning of their cotton by military order. At the very moment we leave them to the enemy's mercy, he said, we destroy their only means of support. He also reported the exchanges with the enemy of cotton for supplies which he was effecting through permits given to traders.<sup>6</sup> "I am glad," wrote Kirby Smith, "you are increasing the amount of supplies introduced

<sup>1</sup> Nov. 23, 1863, O. R., vol. xxxii. part iii. p. 621.

<sup>2</sup> Jackson, Mississippi, Feb. 2, 1864, *ibid.*, vol. xxxiv. part ii, p. 938.

<sup>3</sup> Feb. 18, 1864, O. R., vol. xxxii. part iii. p. 621.

<sup>4</sup> His headquarters were at Shreveport, Louisiana.

<sup>5</sup> His headquarters were at Alexandria, Louisiana.

<sup>6</sup> O. R., vol. xxxiv. part ii. p. 853. Dec. 9, 1862, the general assembly of North Carolina protested against the burning of cotton, O. R., vol. li. part ii. p. 658.

in your district in exchange for cotton. . . . The interruption of the Rio Grande trade [by the Union occupation of Brownsville, Texas, November 6, 1863] makes the introduction of supplies through the enemy's lines a *sine qua non*. Convinced of the uncertain tenure by which our trade across the Mexican frontier was kept up I some months since sent Mr. Stevenson and others to New Orleans and Washington for the purpose of securing with the tacit consent of the Federal authorities the exchange through foreign houses, of cotton for gold, sterling or army supplies. This has in part been accomplished and will I believe be successfully perfected." When the government cotton which had been obtained through the agency of the produce loan was exhausted he proposed to take that in the hands of private individuals by purchase or impressment.<sup>1</sup>

In February Taylor changed his mind. "No permission to trade can be given," he wrote to a subordinate; "it is against an act of Congress to send cotton . . . to the enemy. My desire to alleviate the distress of the people induced me to wink at the trade of a few bales for family supplies."<sup>2</sup> Somewhat later he reported to his chief that the policy of the enemy was now adverse to the trade; he could get medicines but not quartermaster and commissary stores; he had been in communication with Union officials holding high positions in New Orleans who had failed to secure the consent of the military authorities to forward him supplies; he did not believe that the arrangement Kirby Smith had made with Stevenson would be carried out; in fact he had come to the conclusion that no cotton should be allowed to pass the Confederate lines unless goods were previously received; and he confessed to a change of views regarding the destruction of private cotton. "The rage for cotton speculation has reached all classes of people,"

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<sup>1</sup> Jan. 15, 1864, O. R., vol. xxxiv. part ii. p. 871.

<sup>2</sup> Feb. 3, 1864, *ibid.*, p. 939.

he said. The possession of a large amount of cotton was sure to annihilate the patriotism of the best citizens. They would not admit the necessity of surrendering their property and they held on to it until it was too late to preserve it from the clutches of the enemy. "Stringent orders," he declared, "have been given to burn all cotton within the enemy's reach."<sup>1</sup>

Elsewhere opinions and practice varied. A correspondent of Davis from Atlanta argued strenuously against all trade with the enemy because the possession of cotton enabled him "to support his rotten and sinking finances."<sup>2</sup> On the other hand a letter came from Louisiana adducing many facts to prove that the traffic was necessary and advantageous.<sup>3</sup> Very harsh measures might have stopped it but Davis did not determine on such a method of repression. If army officers traded to get supplies for the army private individuals made these exchanges to satisfy their frugal wants. In a part of Mississippi an officer "found the whole community engaged in trading cotton with the enemy";<sup>4</sup> and the Richmond public began to receive information about the traffic in general.<sup>5</sup> Men and women in the neighbourhood of Baton Rouge went into the town and took the Federal oath in order to ply the trade.<sup>6</sup> In this part of Louisiana citizens, whose cotton had been burned, were indignant to see other cotton going to the enemy for supplies. "The very heavy movements of government cotton" started a large amount of private trading and led "loyal" citizens to suspect the honesty of the government agents, believing them to be engaged in a "huge speculation"; meetings were held and threats made "to burn every bale of cotton in the district." The

<sup>1</sup> Feb. 16, 21, O. R., vol. xxxiv. part ii. pp. 971, 978, see also p. 982.

<sup>2</sup> Dec. 3, 1863, *ibid.*, vol. iii. part ii. p. 568.

<sup>3</sup> Oct. 5, 1863, ser. iv. vol. ii. p. 854.

<sup>4</sup> Feb. 17, 1863, *ibid.*, vol. xxiv. part iii. p. 631.

<sup>5</sup> Richmond *Examiner*, August 14, 1863.

<sup>6</sup> Jan. 29, 1864, O. R., vol. xxxiv. part ii. p. 924.

colonel commanding had sufficient force to quell any riot that might break out but he deemed it more prudent to stop temporarily the whole movement of cotton.<sup>1</sup> From Grenada, Mississippi came the report that every "intelligent person in the community" believed that army officers were "interested in contracts and shipment of cotton."<sup>2</sup> The accounts of abuses in this State "involving the public property and government officers" were deemed by Jefferson Davis of sufficient weight to induce him to order an investigation.<sup>3</sup> In Virginia Robert E. Lee, scrutinizing the operations of unlawful carriers, issued a general order, in which he recited the provisions of the law of February 6, 1864 and, exacting compliance with it, ordered that no traders with cotton, tobacco, etc., should be allowed to pass the lines of his army on the way to the United States without permits given under authority of the Secretary of War.<sup>4</sup>

General E. Kirby Smith recommended that the control of the cotton trade be placed under the Treasury Department.<sup>5</sup> It is an illustration of the difficulty of managing the business that Smith after having had practically the direction of it in his sphere of operations should want to shift the responsibility upon the Secretary of the Treasury, while Grant and Sherman were chasing under Chase's interference and would have liked full authority to suppress the traffic. In August, 1864 Davis placed "the whole subject of the cotton trade and the procurement of supplies in exchange under the charge of the Treasury Department."<sup>6</sup> The new policy had not a fair trial. The steady progress of the Union armies in 1864 increased the difficulty of every branch of Confederate administration and that vacillation and

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<sup>1</sup> June 19, July 24, 1864, O. R., vol. xxxix. part ii. pp. 656, 725.

<sup>2</sup> Ibid., ser. iv. vol. iii. p. 514.

<sup>3</sup> Ibid., p. 517.

<sup>4</sup> March 29, 1864, ibid. vol. lii. part ii. p. 842.

<sup>5</sup> Ibid., vol. xxxiv. part iii. p. 822; part iv. p. 646.

<sup>6</sup> Ibid., vol. liii. p. 1017; also p. 1023.

abuses continued does not indicate inefficiency on the part of Trenholm. On September 10, 1864 Richard Taylor enjoined Forrest to break up the "illegal traffic," four days later he begged cotton from the Treasury and the following week he annulled all government contracts in his department.<sup>1</sup> An officer who had made a tour of inspection reported from Jackson, Mississippi to Bragg at Richmond that "cotton instead of contributing to our strength has been the greatest element of our weakness here. Yankee gold is fast accomplishing what Yankee arms could never achieve — the subjugation of this people."<sup>2</sup> From another part of Mississippi came the account of a "universal desire to engage in the trade" and great demoralization.<sup>3</sup> Curiously enough the government insisted on the collection of the export duty on cotton and the import duty on other goods in the trade which it recognized.<sup>4</sup>

Obviously in answer to an inquiry, Jefferson Davis telegraphed to a general in Mississippi that he had no power to authorize a certain trade desired with the enemy.<sup>5</sup> Seddon however, who had pursued a consistent course and who, it seems to me, had taken a correct view of the business gave himself a greater latitude. "Cannot authority be granted to people of north Mississippi and north Alabama to exchange cotton in limited quantity for provisions?" asked Richard Taylor. "Unless something is done for relief many in these sections must starve."<sup>6</sup> Seddon replied: "Law pro-

<sup>1</sup> O. R., vol. xxxix. part ii. pp. 827, 836, 863; Forrest, Oct. 18, 1864, approved stopping "this cotton trade and unlawful government trade," *ibid.*, part iii. p. 829. The Secretary of the Treasury gave instructions to deliver cotton to Taylor, *ibid.*, p. 803.

<sup>2</sup> Sept. 7, 1864, *ibid.*, ser. iv. vol. iii. p. 647.

<sup>3</sup> Nov. 7, 1864, *ibid.*, vol. xxxix. part iii. p. 899.

<sup>4</sup> O. R., ser. iv. vol. iii. p. 680; vol. xxxix. part i. p. 900; see also vol. lii. part ii. p. 449.

<sup>5</sup> Sept. 23, 1864, *ibid.*, ser. iv. vol. iii. p. 683.

<sup>6</sup> Jan. 11, 1865, *ibid.*, vol. xlv. part ii. p. 777.

hibits such permits. Where the necessity is apparent and urgent I see no alternative but toleration of the trade to the extent of such necessity.”<sup>1</sup>

What a stake cotton was in the game is shown by the contrast between the elation manifest in Sherman’s despatch at the capture of twenty-five thousand bales when Savannah was taken and the dejected resolution of the Confederate House of Representatives in asking why that cotton had not been burned, followed by the humble explanation of Hardee that to set it afire entailed the destruction of the city.<sup>2</sup>

My study of the commercial intercourse between the South and the North from Confederate sources has brought me to the same conclusion that I reached through a consideration of the evidence on the Union side: that it was of greater advantage to the Confederacy than to the Union. For the South it was a necessary evil; for the North it was an evil and not a necessary one.<sup>3</sup>

The literature of the subject has many references to wealthy men at the South whose riches did not come from blockade-running or trade with the enemy. Jews made money in both of these enterprises and other foreigners shared in the profits of vessels which ran the blockade but the term “wealthy class”<sup>4</sup> refers to those who had lands and slaves and who were in the mind of Jones when he writes: “Our rich men are the first to grow weary of the contest;” “Some forty thousand landowners and the owners of slaves are at their

<sup>1</sup> Jan. 17, 1865, O. R., vol. iii. part ii. p. 809.

<sup>2</sup> *Ante*, chap. xxiv.; O. R., vol. liii. p. 412; vol. xlvi. part ii. p. 1105.

<sup>3</sup> Other references which have been generally used are: O. R., vol. xxiv. part iii. pp. 631, 932; vol. xxvi. part ii. p. 418; vol. xxxiv. part ii. pp. 908, 911; part iii. p. 731; vol. xxxix. part ii. pp. 627, 828, 863; vol. xli. part ii. pp. 1083, 1085, 1088; part iv. pp. 1025, 1059, 1090, 1093, 1099, 1115, 1133; vol. xlvi. part ii. pp. 637-639, 772, 802; vol. xlvi. part ii. pp. 1032, 1119; vol. xlvi. part i. p. 1316; vol. lii. part ii. pp. 311, 507; vol. liii. p. 845; ser. iv. vol. i. p. 1006; vol. ii. p. 302; vol. iii. pp. 509, 649-651, 688, 718, 735.

<sup>4</sup> Jones’s Diary, vol. ii. pp. 288, 356.

comfortable homes or in comfortable offices ; ” and “ rich men ” are indignant at the proposition to arm the slaves.<sup>1</sup> R. M. T. Hunter one of the senators from Virginia was a conspicuous example of a rich landowner. “ He has made enormously by his crops and his mills, ” Jones said ; “ he sees affairs in a desperate condition and he has much to lose.”<sup>2</sup> Memminger, the Secretary of the Treasury was supposed to have a large private fortune.<sup>3</sup> “ All the men who are ruined are patriotic to the last, ” wrote a friend from Lexington, Virginia to Seddon ; “ only those are tenderfooted who have large estates to protect.”<sup>4</sup>

Trade and manufactures afforded apparently rich returns. It was said that the war had stimulated business. Tradesmen increased their sales and profits ; mechanics had never been better paid.<sup>5</sup> The hotels in Richmond were crowded ; it was said that the proprietor of one of them could make a fortune in six months. Freemantle found “ both the great hotels ” in Charleston full to excess.<sup>6</sup> Men were “ making money very rapidly ” ; those who had been poor were getting rich.<sup>7</sup> It is a time of accumulation of fortunes declared a preacher on a “ national fast day.” “ Huge estates have been acquired within the space of one and two years in many instances by those whom the war found in the shades and shackles of insolvency.”<sup>8</sup> The rich invested “ their Confederate money and bonds in real

<sup>1</sup> August 16, 1863, Sept. 4, Dec. 13, 1864, Jones’s Diary, pp. 16, 277, 353.

<sup>2</sup> June 3, 1864, Jan. 8, 1865, *ibid.*, vol. ii. pp. 225, 381 ; see also p. 387.

<sup>3</sup> *Ibid.*, p. 83.

<sup>4</sup> August 29, 1863, O. R., vol. li. part ii. p. 760.

<sup>5</sup> *Augusta Chronicle*, Oct. 28, 1863.

<sup>6</sup> Richmond *Whig*, Jan. 14, 1862, Jan. 1, 1864 ; Richmond *Examiner*, Oct. 20, 1863, Feb. 4, 1864 ; Charleston *Courier*, Feb. 6, 1863. Freemantle visited Charleston in June, 1863, p. 180. In December the Charleston and Mills hotels were closed. *Charleston Courier*, Dec. 5, 1863.

<sup>7</sup> Richmond *Whig*, Dec. 25, 1863.

<sup>8</sup> April 8, 1864, sermon published by the Soldiers’ Tract Association, M. E. Church South.

estate." Town lots sold in Richmond at "fabulous prices" and the "land fever" induced men to purchase old worn-out Virginia farms.<sup>1</sup> Dividends of banks, insurance companies and railroads ran according to the published notices in the newspapers from six to twenty per cent. per annum<sup>2</sup> but popular belief attributed to them greater profits. A planter wrote to the Charleston *Courier* that stocks in manufacturing companies had gone up "tremendously" because of the "immense dividends" they had been paying.<sup>3</sup> A citizen of Raleigh said in a letter to the Secretary of War that there had been a continuous and rapid advance in fares and freight rates on the railroads of the Confederacy until the charges had become "extraordinary and excessive" enabling them to declare dividends at from thirty to sixty per cent. per annum.<sup>4</sup> A provision of the statute of October 11, 1862 is evidence of the high profit assumed in manufacturing industries. This provided that in return for the exemption from military service of superintendents and operatives in wool and cotton factories the profits of such establishments should not exceed seventy-five per cent. upon the cost of production.<sup>5</sup> According to Jones this did not satisfy a cotton mill company in South Carolina, the president of which wrote to Richmond suggesting that the law be modified to permit him to sell to private individuals at the market price irrespective of such a restriction. Jones estimated the yearly profits of the mills of this company under the

<sup>1</sup> Jones's Diary, vol. ii. pp. 240, 271; Richmond *Examiner*, Oct. 22, Nov. 3, 1862; Richmond *Dispatch*, Aug. 28, 1863.

<sup>2</sup> Charleston *Courier*, Dec. 29; Richmond *Whig*, Dec. 30, 1864.

<sup>3</sup> Charleston *Courier*, Sept. 16, 1863.

<sup>4</sup> O. R., ser. iv. vol. iii. p. 616. A correspondent of the Mobile *Advertiser*, Dec. 3, 1863 said that it was known from official sources that the net profits of the Mobile and Ohio Railroad for the last fiscal year were \$1,300,000. "The prevailing mania for money-making has seized the railroads. They have all become rich and are in a measure out of debt." — Richmond *Whig*, Jan. 5, 1864.

<sup>5</sup> Statutes at Large, 2d Sess. p. 78.

provision of the law as \$500,000 but with the modification proposed they would reach "some \$2,000,000."<sup>1</sup> The business was however presented in a different aspect by the president of this company in an address before a manufacturers' convention held in Augusta in May, 1864. The restriction of the law, he said, took the profits away from the manufacturers and gave them to middlemen and speculators, the consumer obtaining no benefit. In 1863 his company ran their mills independent of the conscript law which they had the right to do by furnishing substitutes for their employees who were subject to military service, and they sold half of their product at the market price and the other half from patriotic motives to the government "at about cost." After paying the tax in kind to South Carolina, the Confederate government tax and insurance and making allowance for depreciation, especially for that of machinery, the company made only seven per cent. on their investment, no more than they had made in some years before 1860.<sup>2</sup> In this computation everything was presumably reduced to a gold basis while in the popular talk profits were measured in the redundant, irredeemable and constantly depreciating Confederate currency. It was a fictitious basis to reckon on but if the Confederate States had won their independence, paying their bonds and partly redeeming their Treasury notes, the owners of lands, negroes, factories, banks and railroads would have had property and money at the end of the war instead of seeing as they did in the actual result every vestige of their prosperity swept away.

During the war transactions were almost wholly for cash; it is probable that few time loans were made and that long time contracts were rarely entered into.<sup>3</sup>

<sup>1</sup> Diary, vol. i. p. 203.

<sup>2</sup> *Augusta Chronicle*, May 26, 1864.

<sup>3</sup> Schwab, pp. 103, 104; *Richmond Whig*, Jan. 7, 1862; *Charleston Courier*, Jan. 1, 1862; the newspapers *passim*; Garner's *Reconstruction in Mississippi*, p. 40.

In the popular mind business profits were mixed up with speculation and extortion. "The greed of gain now so prevalent in the Southern Confederacy," said a journalist, "is more wicked and infamous than the same vile passion in Yankee hearts."<sup>1</sup> "The demon of gain and the love of filthy lucre," wrote an enrolling officer from South Carolina, "has seized the hearts and souls of our people."<sup>2</sup> Men high in office, who were little influenced by popular clamour, observed the same phenomenon, and Jefferson Davis wrote in a public letter, "The passion for speculation has seduced citizens of all classes from a determined prosecution of the war to a sordid effort to amass money."<sup>3</sup> Seddon in his report of November, 1863 spoke of "the insatiable thirst for gain and speculation"<sup>4</sup> and Herschel V. Johnson wrote in a private letter of August 16, 1864, "I think the greed for gain was never so rampant as it is now."<sup>5</sup>

Extravagant living naturally followed, and complaints about it are common in the press. In Richmond it was rife. The population of this city had increased from 38,000 in 1860 to a probable 100,000 in 1864 and from its being the capital of the Confederacy it had taken on somewhat of a metropolitan character. Politicians, wealthy planters, officers of the army and refugees from Baltimore and Alexandria flocked to Richmond, and the life of the place soon took on a festive aspect. In January, 1862 it is noted that music and dancing in private houses was a common occurrence and a grand

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<sup>1</sup> Richmond *Dispatch*, April 13, 1863.

<sup>2</sup> Aug. 7, 1863, O. R., ser. iv. vol. ii. p. 772. Other references to this subject are: Charleston *Courier*, Dec. 11, 1862, Jan. 1, Oct. 16, 1863, Sept. 2, 1864; Richmond *Sentinel* cited by Charleston *Courier*, Dec. 22, 1863; Richmond *Examiner*, Nov. 20, 1863; Richmond *Whig*, Feb. 17, 1863; Richmond *Enquirer*, April 29, 1863; Richmond *Dispatch*, Oct. 3, Dec. 25, 1863; Augusta *Chronicle*, May 15, 1863, Aug. 8, 1864; Jones's Diary, Vol. i. pp. 108, 200, 240, 272, 306, 332; vol. ii. pp. 325, 346, 349, 400; Diary of a Refugee, p. 325.

<sup>3</sup> Oct. 6, 1863, O. R., vol. xxx. part i. p. 212.

<sup>4</sup> Ibid., ser. iv. vol. ii. p. 1008.

<sup>5</sup> Ibid., vol. iii. p. 595.

"hop" was given every Thursday night in the ballroom of the Spotswood Hotel when the ladies appeared in full ball costume evidencing that finery was still to be had. A brisk trade was done in dry goods, and Main Street was said to resemble Broadway in its jam and bustle. In August, 1863 a merchant stated that never before had ladies been so lavish in their expenditure for showy foreign fabrics and Mrs. Putnam wrote that never had finer diamonds been exhibited in the shops of the jewellers. In November a journalist lamented that five balls were advertised while flour was \$125 a barrel, adding sarcastically: "On with the dance! Who prates of famine and want?" In January, 1864 a frequent observation was, "Richmond is gayer than ever;" and a little later the satirist declared that the charm of Paris fashions, the desire for laces, ribbons, gaiters and gloves, insensate luxury and the consequent prodigal expenditures had overcome the Spartan resolutions of frugality and self-denial universal at the beginning of the war.

The theatres of Richmond, Augusta and Mobile were well attended though it was generally agreed that the acting left much to be desired and that the drama was on the decline. More questionable, as being actuated by personal enmity was the assertion of the *Examiner* that the Richmond theatre had sunk into the "slough of bawdry and ribaldry." This same journal had in January, 1862 rejoiced at the destruction of the theatre by fire referring to it as perhaps "a visitation of Providence"; yet the demand for this sort of amusement was sufficient to prompt the rebuilding of the playhouse which in February, 1863 was reopened. The Richmond *Enquirer* of October 10, 1863 asserted that "the theatre is a nuisance against law, order and decency" and added, "Amusements are out of place in a land black with mourning and sorrow for its best and bravest sons;" but six months later this journal indorsed the alleged

opinion of President Davis that the drama contributed to the morality of the soldiers who sojourned in Richmond "by keeping them out of mischief." The "New Theatre" was at least once devoted to a sacred use. On Friday evening April 8, 1864 a day of "fasting, humiliation and prayer" an immense crowd gathered within its walls to listen to religious services conducted by a number of chaplains of the army and the minister of the Baptist church.

The management of the theatre was attended with vicissitudes. A troupe of artists on their way to Richmond in November, 1863 were stopped at Old Point Comfort and sent back to New York; but the following summer "Ida Vernon" ran the blockade and was rewarded with crowded houses, very many ladies attending and delighting in her impersonation of "East Lynne." When Grant began his May, 1864 campaign the excitement in Richmond was so great that the theatre was closed but late in the month it was reopened to furnish amusement, so the advertisement ran, to the "many slightly wounded soldiers who have arrived." Again the doors were shut in June most of the employees turning out against the enemy. The manager claimed exemption from military service as being a British subject but the court decided against him. For two months afterwards (*i.e.* until October<sup>1</sup>) he managed to evade enrolment but the continued losses made the pressure for every available man so severe that he finally deemed it the part of prudence to run away.

Other diversions were lectures and concerts. Agreeable evenings were also spent by the "Starvation Club" in Richmond, the members of which met at one another's houses for a dance, or for amateur theatricals or tableaux. The music was paid for by assessment of the members but refreshments were forbidden. In the winter of 1864

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<sup>1</sup> 1864.

it was said that a "musical furore" reigned in Charleston. In Mobile and Augusta there were balls, fairs, concerts and tableaux for the benefit of soldiers, firemen and orphans. Races were run at Richmond and other places and in Mobile there was a cock-fight "at the old stand."<sup>1</sup>

It will be observed that my authorities for the foregoing description are mainly writers for the press whose acute observations of things of the moment must be checked by evidence negative in its character, contained in public documents, private letters, diaries and recollections. That the journalists portrayed a certain aspect of society need not be doubted; indeed the existence of the evils they complained of is substantiated by the act of the Confederate Congress of February 6, 1864 prohibiting the importation of luxuries. There were "parvenus" in Richmond as well as "old aristocrats."<sup>2</sup> But that the best men and women of the South were given over to extravagance and unseemly gayety is contradicted by a mass of facts and by the great fact of the long heroic struggle and the sacrifices which it involved.

Vice and crime increased in the Confederate States as they did at the North. It was complained that robbers and gamblers had taken possession of Richmond, the police government having gone to pieces. There were forty gambling establishments in the city and among their visitors were quartermasters and commissaries who

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<sup>1</sup> Richmond *Examiner*, Jan. 3, 1862, Aug. 20, Oct. 16, Nov. 14, 24, Dec. 1, 7, 24, 31, 1863, Jan. 9, Feb. 4, 8, 19, Oct. 28, 1864, Jan. 22, 1865, *passim*; Richmond *Whig*, Jan. 17, 1862, Dec. 1, 1863, Jan. 1, 5, 1864, Jan. 17, 24, 1865; Richmond *Enquirer*, Oct. 10, 1863, April 7, 11, May 17, Aug. 24, Oct. 3, 7, 1864, *passim*, 1864; Richmond *Dispatch*, Aug. 24, Sept. 10, 1863, Feb. 2, 11, 23, 1864, *passim*, 1864, 1865; Richmond correspondence Charleston *Courier*, Jan. 18, 1862; Charleston *Courier*, Feb. 5, 1863, May 13, 1864; Mobile *Register*, March 14, 1863, *passim*, 1863; Mobile *Advertiser*, Jan. 30, 1864, *passim*, 1864, 1865; Augusta *Chronicle*, May 11, 1863, *passim*, 1863 and 1864; Richmond during the War, pp. 193, 270, 315; Diary of a Refugee, p. 302; see my vol. iii. p. 548; Schwab, p. 280.

<sup>2</sup> Richmond during the War, p. 193.

gambled away the public funds. The proprietors of these houses had an abundance of money; by lavish purchases they put up the price of every luxury; and shortly before January 1, 1863 one of them made a bid for a landed estate near Richmond to which venerable memories clung. Bawds dressed in silks and wearing jewels promenaded the streets. Intemperance was on the increase and it was said that "bar-rooms and faro banks are the popular institutions." Much bad liquor was drunk. The Richmond *Examiner* impressed with the enormity declared in January,<sup>1</sup> 1863 with exaggeration, "Whiskey is to be the master of this Confederacy not the Yankee." Thieves, garroters and murderers so infested the city that vigilant committees were formed to remedy the "desperate disease" and the application of lynch law was publicly threatened. Through their efforts Richmond was rid of many ruffians but gaming and excessive drinking went on. In October, 1863 a bill to suppress gaming passed the general assembly of Virginia, but the law was evaded and in 1864 there seemed to be a recrudescence of vice and crime. The gamblers, painted bawds and bedizened strumpets were ugly sights, the drunken brawls and noonday murders an abomination to those who regretted the old Richmond of steady habits, social virtues, generous hospitality and "old fogy dinners," when the citizen was safe in the street at midnight and city vices did not flaunt themselves. The new Richmond, the journalist said, was as bad morally as New York or Washington. The lawmakers attempted to work a reform and having made an effort to stop gambling, tried in 1864 to suppress by legislative act the sale of ardent spirits, but the law was not enforced.

Vice and crime were by no means confined to the capital city. Murder and arson, said Governor Vance in his message of November 17, 1862 have become fre-

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<sup>1</sup> 22d.

quent in some districts of North Carolina. In Mobile in the early part of the war the drinking houses had been closed by order of General Bragg but by August, 1863 they were reopened and it was then said that gambling and drunkenness were running riot and that the drinking and gambling saloons and brothels were resorted to by military officers who handled daily large sums of public money. The bar-rooms were closed again by military order but through the intervention of the civil power were reopened, the general in command yielding the point in order to avoid a conflict between the civil and the military authority. Then drunkenness prevailed as before. Atlanta was called a "fast town" and in April, 1864 citizens of Charleston complained that thefts, burglaries, arsons, assaults and murders were committed daily in their midst. Excessive drinking was plainly on the increase in Montgomery and in October, 1864 Augusta was infested by a gang of robbers and thieves. "A state of war is usually the hotbed of vice," declared a preacher on the national fast day of April 8, 1864. "It has been so in a fearful degree with us. The growth of vice has been enormous; enough one would think to sink any country into political perdition."<sup>1</sup>

The literature of the time contains references to corruption and malfeasance in office other than that connected with the commercial intercourse between the North and the South. Jones spoke of "thieving quartermasters and commissaries," asserted that "the

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<sup>1</sup> Richmond *Dispatch*, Feb. 13, 1862, June 10, 17, Dec. 29, 1863; Richmond *Examiner*, Oct. 30, 1862, Jan. 3, 9, 22, June 11, Oct. 7, Nov. 20, 1863, Jan. 9, May 3, 1864; Richmond *Enquirer*, Aug. 12, 1863; Richmond *Whig*, Jan. 5, July 1, 1864; Augusta *Chronicle*, Sept. 1, 1863, Oct. 20, Dec. 29, 1864; Charleston *Courier*, Apr. 2, 29 and *passim*; Mobile *Advertiser*, March 29, June 14, Aug. 7, 30, Sept. 1, 1863, May 10, 1864, Feb. 2, 1865; O. R., ser. iv. vol. i. p. 834, vol. ii. p. 186; sermon published by the Soldiers' Tract Association, M. E. Church South; Thirteen Months in the Rebel Army (New York, 1862).

opulent [are] often those who have defrauded the government" and declared that "official corruption runs riot throughout the land." We are "robbed by official rogues" said the Richmond *Whig* and Governor Vance intimated to Seddon that officers of the government were using the public funds to engage in private speculation. The Confederate Congress took cognizance of the evil by passing on May 1, 1863 an act "to prevent fraud in the quartermaster's and commissary departments." In January, 1864 it was said that there had come to light the defalcation of a quartermaster in the sum of \$5,000,000. He had been living at the rate of \$5,000 or \$10,000 a day. The Sumter (Ga.) *Republican* in July, 1864 said that it was hardly possible to open a newspaper without finding records of swindling by those occupying official positions. It had become proverbial that quartermasters and commissaries grew rich by peculation and robbery. In the same year Jones spoke of quartermasters as "rogues" and mentioned a grave charge against a commissary; and on March 13, 1865 when the shadow of doom was over the Confederacy he asserted that the danger and possible defeat of the South was due to cupidity, dishonesty and corruption.

This startling opinion is introduced merely as part of the evidence showing official corruption which prevailed at the South, as it did at the North, owing largely to defective administration. The South was inferior in administration to the North lacking, as I have previously said, the faculty of business. To gauge official corruption in the Union and the Confederacy is impossible but as there was more to steal at the North and its money was the more valuable it is fair to presume that the stealings there were in the aggregate the larger. Furthermore there is, so far as I am aware, no ground for a belief that the percentage of corruption was greater in the South than at the North; and Jones's opinion

that the downfall of the Confederacy was due to this evil may be entirely disregarded as a spasmodic ebullition of regret. Thorough as was his knowledge of the confidential correspondence of the War Department and accurate as is his statement of facts, Jones was addicted to cavils and to narrow judgments.<sup>1</sup>

The Conscription Act of April 16, 1862 which placed in the military service all white men between eighteen and thirty-five years of age not legally exempt caused much dissatisfaction. Governor Joseph E. Brown of Georgia attacked it first by serious objections to many of its details and, while he promised to throw no obstructions in the way of the necessary general enrolment he declined all connection with it.<sup>2</sup> As he pondered the measure, his objections increased. In his opinion it struck at "the rights and the sovereignty of the States"; it was "unnecessary as to Georgia" and "unconstitutional as to all the States."<sup>3</sup> Davis replied to Brown with kindness and dignity. "The right of each State," he said, "to judge in the last resort whether its reserved powers had been usurped by the general government" is a "familiar and well-settled principle." A very large majority of both Houses, every member of his cabinet and he himself were convinced that Congress had "exercised only a plainly granted specific power in raising its armies by conscription."<sup>4</sup> Vice-

<sup>1</sup> O. R., ser. iv. vol. ii. pp. 680, 692; *Richmond Whig*, Feb. 17, 1863; *Mobile Tribune* cited by *Charleston Courier*, Jan. 7, 14, 1864; Jones's entries, Dec. 1, 1862, Jan. 17, June 16, 1863, March 18, June 23, 1864, March 13, 1865, Diary, vol. i. pp. 200, 240, 350; vol. ii. pp. 173, 236, 447. A careful study of Jones's Diary and the comparison of many entries in it with the Official Records and the contemporary newspapers convinces me that at any rate from Jan. 1, 1862 on it is a genuine diary.

<sup>2</sup> O. R., ser. iv. vol. i. pp. 1062, 1082.

<sup>3</sup> Brown to Davis and Randolph, May 8, 26, June 21, 1862, *ibid.*, pp. 1116, 1128, 1156. Brown's letter of June 21 to Davis covers thirteen and one-half printed pages of the Official Records.

<sup>4</sup> May 29, July 10, 1862, O. R., ser. iv. vol. i. p. 1133; vol. ii. p. 2.

President Stephens thought that "the Conscription Act was very bad policy."<sup>1</sup> Nevertheless it was in my judgment a wise measure which the results justified although it is true that its enforcement was attended with the difficulties inherent in a compulsory military service among a free people. In the valleys of the Blue Ridge mountains men rose in insurrection against it and Stonewall Jackson was obliged to suppress the movement by force.<sup>2</sup> The press and people of North Carolina had opposed the enactment of the law and the operation of it caused much discontent that verged on insubordination. In the hill country of Georgia, Alabama, and Mississippi the opposition was pronounced. From Atlanta came the complaint that men succeeded "by their wits" in keeping out of the service; the Governor of Florida wrote to Davis that the enforcement of the law in his State had been unsatisfactory; and in Randolph County, Alabama resistance to the execution of the act was threatened.<sup>3</sup> On July 17, 1862 the Secretary of War sent a confidential communication to the several governors of the States saying that the armies of the Confederacy were "so much weakened by desertions" and absenteeism that they were unable "to reap the fruits" of their victories. [i.e. after the defeat of McClellan in his Peninsular campaign.] The governors were asked to arrest the deserters and absentees and send them back to their commands.<sup>4</sup> In Randolph County, Alabama some deserters were arrested and imprisoned, but an armed mob compelled the jailer to surrender the keys and the deserters were set free.<sup>5</sup>

Two opinions, after the law had been on the statute-book six months, present both sides of the case. "No act of the Government of the United States," wrote

<sup>1</sup> Johnston and Browne, p. 415.

<sup>2</sup> Dabney's Jackson, p. 335.

<sup>3</sup> Appleton's Annual Cyclopædia, 1862, pp. 244, 493, 494, 660; O. R., ser. iv. vol. ii. pp. 9, 87, 92, 147.

<sup>4</sup> O. R., ser. iv. vol. ii. p. 7.

<sup>5</sup> Ibid., p. 258.

Governor Brown to Davis, "prior to the secession of Georgia struck a blow at constitutional liberty so fell as has been stricken by the conscription act."<sup>1</sup> "The Conscription Act" wrote Davis to Governor Vance, "has not been popular anywhere out of the army; . . . but the State authorities have nowhere offered any opposition to its execution or withheld their aid except in the State of Georgia, and, so far as the cadets of the military institute are concerned, in the State of Virginia. I shall endeavor by judicial decision to settle the questions raising in those two States, and in the meantime have been cheered by the evidence of a popular sentiment which supports any measure necessary to protect our country and secure our political independence."<sup>2</sup> A lower court in Georgia decided that the Conscription Act was unconstitutional and while this particular case was not appealed to the Supreme Court of that State that court passed upon the question in six different cases holding unanimously that the law was clearly warranted by the constitution.<sup>3</sup> The highest courts of Virginia and Texas affirmed the same opinion.<sup>4</sup> The Confederate Supreme Court was never constituted but in a community where the sovereignty of the States was a cardinal doctrine these determinations of State courts carried more weight probably than would those of a high Confederate court. The act of September 27, 1862 extended the conscription to all white men between the ages of thirty-five and forty-five but at first only those of forty or under were enrolled, although Adjutant-Gen-

<sup>1</sup> Oct. 18, 1862, O. R., ser. iv. vol. ii. p. 131.

<sup>2</sup> Nov. 1, 1862, *ibid.*, p. 154.

<sup>3</sup> *Charleston Courier*, Sept. 27, 1862; 33 Ga. 347; 34 Ga. 27; Appleton's Annual Cyclopædia, 1862, pp. 245, 494; Johnston and Browne, p. 429.

<sup>4</sup> 26 Texas 386; 16 Grattan 470. In 38 Ala. 429 two judges delivered decisions, but only one of them passed definitely on the constitutionality of the act and he affirmed it. Schwab states (p. 195) that Judge Magrath of the Confederate District Court of South Carolina sustained the constitutionality of the act, which statement is undoubtedly correct, but I have not been able to verify his reference.

eral Cooper was convinced by February 9, 1863 that not a large enough number would be secured to fill the ranks of the army. On the following 15th of July, as a consequence of Gettysburg and Vicksburg, President Davis ordered that all between forty and forty-five be included in the enrolment.<sup>1</sup>

An act approved five days after the Conscription Act<sup>2</sup> provided that certain classes of men be exempted from military service but when it came to be applied it was found not to include persons in some vocations necessary to the civic community.<sup>3</sup> This state of affairs caused a significant controversy between President Davis and the Governor and executive council of South Carolina. The State authorities granted exemptions of men who were liable to the Confederate conscription and purposed to promulgate an order countervailing the order for enrolment of conscripts which the Confederate officer in charge had been instructed to issue and thus in the words of Davis "to obstruct the due execution of the conscript law," raising a point of the gravest character. South Carolina asserted broadly the right to nullify the law in so far as it affected a portion of her citizens.<sup>4</sup> Davis in a remarkably able letter to the

<sup>1</sup> O. R., ser. iv. vol. ii. pp. 160, 164, 294, 390, 635.

<sup>2</sup> April 21, 1862, Statutes at Large.

<sup>3</sup> See O. R., ser. iv. vol. i. pp. 1106, 1107, 1121; vol. ii. pp. 17, 45.

<sup>4</sup> "If a State," wrote Davis, "may free her citizens at her own discretion from the burden of military duty, she may do the same in regard to the burden of taxation, or any other lawful duty, payment, or service. In other words the assertion of such a right on the part of the State is tantamount to a denial of the right of the Confederate Government to enforce the exercise of the delegated power and would render a confederacy an impracticable form of government."—O. R., ser. iv. vol. ii. p. 74. See S. C. Acts, Jan., Dec. 1862, Feb., April, 1863; Statutes at Large, XIII.; General Orders No. 18, Adjutant and Inspector-General's Office, South Carolina, Charleston *Courier*, May 12, 1862; South Carolina Convention of 1862, Documents, Report of the Special Committee of Twenty-one; O. R., ser. iv. vol. i. p. 1121; Report of James Chestnut, Chief of Department of the Military, South Carolina, Aug. 20, 1862; Governor Pickens's Annual Message, Charleston *Courier*, Nov. 27, 1862.

Governor and executive council made an irrefragable argument against their position, and, appealing to their "patriotism and devotion to the common cause," pleaded that they might not inaugurate a "direct conflict of executive authorities" which would present "a condition of affairs so grave" and would suggest "consequences so disastrous that I am sure you cannot contemplate them without deep-seated alarm."<sup>1</sup> This argument and appeal prevented the purposed action of South Carolina; and Congress by act of October 11, 1862 enlarged the list of exemptions.<sup>2</sup> Seddon wrote that the principle of this "more liberal" law was "that the whole necessary operations of society and business can and must be done by the exempts and those above and below the prescribed ages, while all other white males capable of bearing arms shall be in the armies of the Confederacy."<sup>3</sup>

In practice the number of exemptions surpassed what was intended by the law. Many got off improperly on the score of bodily or mental infirmities, through the dishonesty or favouritism of surgeons; others who had political or social influence obtained appointments to certain governmental offices for the sole purpose of evading the service; and still others sought occupations which permitted them to stay at home. Fifteen generals who were near Chattanooga wrote to the War Department that "all those vocations are crowded which afford exemption while the ranks of the army are daily becoming thinner;" "rural post-offices and printing-presses" are multiplied; "an enormous disproportion [obtains] between the absolute wants of the people and the number of shoemakers, blacksmiths, tanners, wagon-

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<sup>1</sup> Sept. 3, 1862, O. R., ser. iv. vol. ii. p. 73.

<sup>2</sup> See *ibid.*, pp. 154-156; Statutes at Large. For a later act of nullification by South Carolina (December, 1864), see O. R., ser. iv. vol. iii. pp. 979, 980; vol. xli. p. 981; S. C. Statutes at Large, XIII. p. 247.

<sup>3</sup> Report of Jan. 3, 1863, O. R., ser. iv. vol. ii. p. 287.

makers, millers and their engineers, millwrights, the agents and employees of the different bureaus, departments, railroad and telegraph companies.”<sup>1</sup> Jones charged that the employees of the Southern Express Company<sup>2</sup> were exempted because that company brought “sugar, partridges and turkeys to the potential functionaries”; he believed that there were many dishonest men and much corruption in the bureau of conscription and said that their procedure reminded him of the method of Sir John Falstaff.<sup>3</sup> But Governor Vance thought that the “harsh and odious” conscript law was executed with “extreme vigor” in North Carolina.<sup>4</sup>

The original Conscription Act allowed substitutes to a limited degree: “persons not liable for duty may be received as substitutes for those who are.” The reception of unnaturalized foreigners and persons under eighteen as substitutes was forbidden; those who were exempt or took the trouble to secure some office or adopt some trade to avoid serving as principal would not naturally go into the army as substitute, so that practically all men eligible for substitutes were those above the

<sup>1</sup> These officers and occupations were included in the list of exemptions but there were many others. This letter is dated July 25, 1863, O. R., ser. iv, vol. ii, p. 670; see pp. 709, 767, 857, 880, 946; Seddon, Nov. 26, 1863, *ibid.*, p. 997; Davis, Dec. 7, 1863, *ibid.*, p. 1041, vol. iii, p. 976; Jones’s Diary, vol. ii, pp. 82, 272, 274, 305, 322.

<sup>2</sup> Not specifically exempt by the law.

<sup>3</sup> Jones’s Diary, vol. i, pp. 258, 260, 286; vol. ii, pp. 257, 271, 307, 314, 328, 349. See also O. R., ser. iv, vol. ii, p. 866.

“*Bardolph*. Sir, a word with you: I have three pound to free Mouldy and Bullealf. . . .”

“*Falstaff*. Mouldy and Bullealf: for you Mouldy stay at home till you are past service: and for your part Bullealf grow till you come unto it: I will none of you.

“*Shallow*. Sir John, Sir John, do not yourself wrong: they are your likeliest men and I would have you served with the best.

“*Falstaff*. Will you tell me Master Shallow how to choose a man? Care I for the limbs, the thews, the stature, bulk and big assemblage of a man! Give me the spirit, Master Shallow.” — Second part King Henry IV, act iii, scene 2. See also first part King Henry IV, act iv, scene 2; my vol. iii, p. 401, note 1.

<sup>4</sup> O. R., ser. iv, vol. ii, pp. 375, 484.

maximum age, at first thirty-five and afterwards ten years more. As a matter of fact others were accepted, fraud attending the operation of the law. The bounty for substitutes was said to have started at \$100 and to have reached in 1862 \$2000.<sup>1</sup> In August of that year the Secretary of War reported that the procuration of them had become "a regular business" and that the men obtained were usually unfit for service and frequently deserted.<sup>2</sup> In the following June (1863) the chief of the bureau of conscription spoke of the "habitual frauds" of "professional substitute agents," and wrote further that he had abundant evidence of "grossly criminal and mischievous" "disregard of law by company and regimental officers" who were moved thereto "by corruption, complaisance or recklessness."<sup>3</sup> An adjutant-general in Alabama assumed as a matter of course that a large portion of the substitutes would desert from the army when opportunity offered.<sup>4</sup> Orders were issued requiring the immediate enrolment of the principal when the substitute ran away,<sup>5</sup> but these were of course difficult of execution. The fifteen generals before mentioned estimated that 150,000 men<sup>6</sup> had employed substitutes of whom "not one in a hundred" had remained in the service. In some instances fraudulent papers had been used; in others diseased men had been accepted whom it was necessary afterwards to discharge; "in still more cases vicious and unprincipled substitutes were bought up" who deserted "at the first favorable moment."<sup>7</sup> These last frequently sold themselves again

<sup>1</sup> Appleton's Annual Cyclopædia, 1862, p. 246.

<sup>2</sup> O. R., ser. iv. vol. ii. p. 45.

<sup>3</sup> To Seddon, *ibid.*, p. 582.

<sup>4</sup> June 30, 1863, *ibid.*, p. 613.

<sup>5</sup> July 20, 21, *ibid.*, pp. 648, 654.

<sup>6</sup> Probably an excessive estimate. Judge Campbell, Assistant Secretary of War wrote July 21, 1863: "More than 50,000 persons are said to be exempt by putting in substitutes and more than two-thirds of those who have been put in as substitutes are said to be deserters." — O. R., ser. iv. vol. ii. p. 656; see also, p. 674 and *post*.

<sup>7</sup> *Ibid.*, p. 670; see also, p. 822.

and a second time evaded the service.<sup>1</sup> The adjutant-general of Virginia said in his report of September 1, 1863 that the substitute system had been "productive of the most atrocious frauds." In the city of Richmond it had become a "regular traffic." Men undertaking to raise companies ostensibly for "the active volunteer force" enrolled "their names only for the purpose of escaping service by getting in substitutes, a large portion of whom were vagabond foreigners and other persons of the same stamp who deserted as soon as they were mustered into the service and played the same game over again as often as they had a chance to do so."<sup>2</sup> On the same day that the fifteen generals wrote (July 25, 1863) Jones noticed in the newspapers a number of advertisements offering \$4000, and one, a farm of 230 acres in Hanover County for substitutes.<sup>3</sup> By November 1 the price had risen to \$6000.<sup>4</sup> The injustice of the law which permitted the rich to buy themselves free rankled with the poor who were forced into the army.<sup>5</sup> A Mississippi correspondent of President Davis asked why speculators and extortioners should be considered to have paid their debt to their country by putting in their place in the army worthless men who deserted in a hundred days while they themselves remained at home and made money; he added that the partiality, corruption or incompetence shown in "the mysterious discharge of many able-bodied conscripts" was causing indifference and discontent.<sup>6</sup> "Some judges," wrote Judge Campbell, "apparently catching the distemper of the time to relieve from the burden of the military service that class of men who above all others are interested in carrying

<sup>1</sup> Seddon, O. R., ser. iv. vol. ii. p. 906.

<sup>2</sup> Pamphlet, Boston Athenaeum. After the Conscription Act was passed, volunteering was authorized under certain regulations. O. R., ser. iv. vol. i. p. 1098; vol. ii. p. 694.

<sup>3</sup> Diary, vol. i. p. 387.

<sup>4</sup> Ibid., vol. ii. p. 85.

<sup>5</sup> Ibid., pp. 30, 107, 108; O. R., ser. iv. vol. ii. p. 906.

<sup>6</sup> Oct. 5, 1863, O. R., ser. iv. vol. ii. p. 856.

through a revolution commenced for the security of their rights and interests, have resorted to the most refined and astute discussions to dispense with the conditions " which the regulations required for the acceptance of substitutes.<sup>1</sup> Campbell had a number of years before the war urged the slave States to repeal the laws which forbade teaching the slaves to read and write ; he had also appealed to them to put an end to sales of negroes under legal or judicial process ; and when he became a justice of the United States Supreme Court in 1853 he emancipated his own slaves.<sup>2</sup> He was now seemingly not averse from casting a slur on the slaveholders who lacked eagerness for the actual fray, shrinking not from the perils but rather from the hardships of a soldier's life.<sup>3</sup> " In every State," continued Campbell, " some local judges seem to have bestirred themselves to withdraw from the service all who by any subtlety could be released. A widespread disaffection has been the consequence both in and out of the Army."<sup>4</sup>

This state of things was appreciated by the Secretary of War and President Davis. While no records existed showing the number of men who had availed themselves of substitution Seddon thought 50,000 a low estimate and they were " of an age and class calculated to make approved soldiers " :<sup>5</sup> in their place, according to the belief of an assistant adjutant-general, the army had not actually in the field more than 3000 or 4000 substitutes who were not themselves liable to the conscription.<sup>6</sup> In his message to Congress of December 7, 1863 Davis advised that an end be put to substitution and that the exemption law be modified.<sup>7</sup> The Congress forbade the furnishing and acceptance of substitutes ;<sup>8</sup>

<sup>1</sup> July 21, 1863, O. R., ser. iv. vol. ii. p. 656.

<sup>2</sup> Life of Yancey, Du Bois, p. 689.

<sup>3</sup> Seddon, O. R., ser. iv. vol. ii. p. 996.

<sup>4</sup> Ibid., p. 656.

<sup>5</sup> Nov. 26, 1863, ibid., p. 997; see also pp. 696, 1059.

<sup>6</sup> Nov. 11, 1863, ibid., p. 947.

<sup>7</sup> Ibid., p. 1040.

<sup>8</sup> Approved Dec. 28, 1863.

then influenced by the recommendation of the Secretary of War which Davis approved and by the petition of many generals in the field, they passed an act which rendered liable to military service those who had already put substitutes into the army.<sup>1</sup> This according to Jones caused consternation among the rich speculators of Richmond — he seems to exult in the frustration of their hopes<sup>2</sup> — but Howell Cobb, a friend of the administration, while approving the law wrote to Seddon that “the wholesale denunciation of men who employed substitutes is wrong and unjust,” since many men of high character and patriotism had for justifiable reasons availed themselves of that permissive section of the first Conscription Act.<sup>3</sup> Governor Brown opposed the policy of putting the whole people into the military service. If you do, he asked, who is going to raise the crops and unless we have provisions we must yield to the enemy. He suggested that the ranks might be filled by calling back to the army “the almost countless swarm of young, able-bodied officers, who are to be seen on all our railroad trains and in all our hotels.” “Almost every little railroad village,” he continued, “has become a military post, and a number of officers in brass buttons and gold lace can be seen idling about, each out of the reach of danger, with troops enough to supply each with a command.”<sup>4</sup>

Chief Justice Pearson of the Supreme Court of North Carolina decided that the law which rendered liable to military service those who had already furnished substitutes was unconstitutional and Governor Vance therefore requested the War Department to order a temporary suspension in his State of the enrolment of that class of persons. This Davis declined to do. Backed by an elaborate and unanimous opinion of the Virginia Court

<sup>1</sup> Approved Jan. 5, 1864, Statutes at Large; O. R., ser. iv, vol. ii, pp. 996, 1041; Jones's Diary, vol. ii, p. 123. <sup>2</sup> Jones's Diary, vol. ii, pp. 117, 119, 123.

<sup>3</sup> Jan. 26, 1864, O. R., ser. iv, vol. iii, p. 48.

<sup>4</sup> Jan. 29, 1864, *ibid.*, p. 62.

of Appeals and by decisions in other States that the law was constitutional, he wrote to the attorney for the government in North Carolina that if Judge Pearson should pursue his "factious course," "I shall not shrink from the issue."<sup>1</sup> Judge Pearson's two associates on the Supreme bench did not agree with him so that in the end apparently the Confederate government prevailed,<sup>2</sup> and what Vance called the "ruthless and unrelenting"<sup>3</sup> conscription went on.

On February 17, 1864 the Confederate Congress passed an act requiring that all white men between the ages of seventeen and fifty should be in the military service: those between seventeen and eighteen and those between forty-five and fifty should constitute a reserve for State defence and should not be called beyond the limits of their own State. The list of exemptions was greatly curtailed and a good part of them as well as most of the "details" for other than active military service<sup>4</sup> were placed under the direction of the President and Secretary of War. The emphatic intent of the act was "to withdraw from the civil service all persons capable of performing duty in the field."<sup>5</sup>

As men became weary of the war desertion became more common. Compulsory service was disliked and evaded by many whenever possible. Homesickness and the wretched fare in the army were prolific causes of this abandonment of duty. "A very considerable number of deserters and stragglers" had banded themselves

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<sup>1</sup> Feb. 29 to March 7, 1864, O. R., ser. iv. vol. iii. pp. 176, 197, 200.

<sup>2</sup> Ibid., pp. 201, 213, 238. <sup>3</sup> Ibid., vol. li. part ii. p. 819.

<sup>4</sup> Dec. 31, 1863. Details "outside of the army" reached 13,000, O. R., ser. iv. vol. ii. p. 1070. Jan. 29, 1864, Governor Brown wrote: "The Quartermaster's and Commissary departments are thronged with able-bodied men, subject to conscription or detailed from the army, who are acting as clerks, purchasing agents, impressment agents, etc. From these and similar causes 50 per cent. of the army are not in camp to answer to roll-call."—Ibid., vol. iii. p. 63. Brown was so severe a critic of the administration that his statements must always be taken with some allowance.

<sup>5</sup> O. R., ser. iv. vol. iii. pp. 178, 182.

together in the mountains of northeastern Georgia where they resisted the authorities and committed acts of violence. These Governor Brown commanded by proclamation to return to the military service, invoking at the same time "a just public opinion in condemnation of deserters and stragglers no matter what may be their position, wealth or influence."<sup>1</sup> Vance for a similar reason issued a like proclamation,<sup>2</sup> and informed Davis of his efforts to check the alarming increase of desertions from the army. In an attempt at an arrest a rencounter between his force and some deserters and conscripts took place in which two North Carolina militia officers were killed. The slayers having been imprisoned were brought before Chief Justice Pearson on a writ of habeas corpus and discharged by him from custody on a technical ground. An inexact report of Pearson's decision reached the army, leading North Carolina soldiers to believe that he had decided the Conscription Act to be unconstitutional and therefore they could not be reclaimed should they return to their homes. Whereupon "desertion which had been temporarily checked, broke out again worse than before."<sup>3</sup> A "swarm of tories, refugees and deserters" so Vance wrote to Richmond, "have congregated in the mountains and inaccessible wilds of the west" and are carrying "pillage and murder in their path."<sup>4</sup> In central North Carolina avoidance of service and desertion were erected into a system.<sup>5</sup> General Pillow thought that there were 8000 to 10,000 deserters and "tory conscripts" in the mountains of Alabama many of whom had run away more than once from the service. They had banded together and were "as vicious

<sup>1</sup> Jan. 17, 1863, O. R., ser. iv, vol. ii, p. 360.

<sup>2</sup> May 11, 1863, ibid., vol. li, part ii, p. 706.

<sup>3</sup> May 13, 1863, ibid., p. 709.

<sup>4</sup> July 9, 25, 1863, ibid., ser. iv, vol. ii, pp. 619, 674.

<sup>5</sup> The Cave Dwellers of the Confederacy, Dodge, *Atlantic Monthly*, Oct. 1891.

as ‘copperheads’”;<sup>1</sup> in resisting attempts to lay hold of them they had killed a number of his officers and driven back small bodies of cavalry.<sup>2</sup> A general report from the bureau of conscription indicated that the state of things prevailing in Georgia, North Carolina and Alabama existed “more or less” also in South Carolina and Virginia.<sup>3</sup> As a remedy Jefferson Davis endeavoured to fire the hearts of the Southern people by a lurid and untruthful statement of the desire and aim of the Northern rulers who, prompted by “malignant rage,” he said, sought the partition of their homes and the extermination of themselves, their wives and children by inciting the blacks to servile insurrection with a promise of “indulgence of the vilest passions as the price of treachery.” He called upon every man who was absent without leave to go back to his post, promising a general pardon and amnesty to all officers and men who should return within twenty days. He implored “the wives, mothers, sisters and daughters of the Confederacy to use their all-powerful influence in aid of this call” and to take care that no one should be sheltered at home who owed service in the field.<sup>4</sup>

But Gettysburg and Vicksburg were more potent arguments with the Southern people than any paper manifesto. “Dear Seddon,” wrote a friend from Mobile, “we are without doubt gone up.”<sup>5</sup> In the southwest counties of Virginia, a correspondent said, “the people seem completely demoralized. They think and say we are whipped and are bound to be overrun and subjugated.” Soldiers were deserting by the hundreds; even whole regiments left at a time. In the upper counties of North Carolina things were much worse. Deserters

<sup>1</sup> The use of this word is interesting, see vol. iv. p. 224, note 2. In the letter referred to in the text it is printed in quotation marks; in a later one of Pillow without them, O. R., ser. iv. vol. ii. p. 820.

<sup>2</sup> July 28, 1863, O. R., ser. iv. vol. ii. p. 680.   <sup>3</sup> June 24, 1863, ibid., p. 607.

<sup>4</sup> Ibid., p. 687.

<sup>5</sup> July 24, 1863, ibid., p. 664.

almost always carried their muskets and when halted and asked for their authority to be absent from the army would "pat their guns and say defiantly, 'This is my furlough.'"<sup>1</sup> When the letter reciting these facts was submitted to an officer of the bureau of conscription it received the indorsement that the evil was known, efforts to cure it had been made but it continued to increase.<sup>2</sup> Throughout the whole army the reports show that after the full effect of Gettysburg and Vicksburg was appreciated the growth of desertions was manifest. There were many deserters in the three Southern counties of Mississippi and in the whole State it was estimated that they numbered 5000.<sup>3</sup> "A host of deserters" is a word that came from Alabama.<sup>4</sup> In the mountains of western North Carolina there had been no improvement; and Davis's proclamation of pardon to deserters had been disseminated with but little result.<sup>5</sup> On request General Lee sent to Governor Vance two regiments of infantry and a squadron of cavalry to enable him to arrest deserters and bring them back to the ranks.<sup>6</sup> General Pillow's estimate was still 8000 to 10,000 in the mountain region of north Alabama;<sup>7</sup> "vast numbers of stragglers, deserters and other absentees" is a report from the bureau of conscription;<sup>8</sup> and "the evil seems to be increasing daily" in Georgia is the admission of Governor Brown.<sup>9</sup> In the mountain fastnesses of northwestern South Carolina bold and defiant deserters were banded together; with travelling threshing machines they worked their farms in common and congregated at still yards and houses where they distilled quantities of liquor and swore vengeance on any one

<sup>1</sup> Aug. 15, 1863, O. R., p. 721.

<sup>2</sup> Aug. 28, 1863, ibid., p. 722.

<sup>3</sup> Aug. 10, 12, 15, 1863, ibid., ser. iv. vol. ii. pp. 708, 717, 762.

<sup>4</sup> Aug. 6, 1863, ibid., p. 727.

<sup>5</sup> Aug. 13, 1863, ibid., p. 733.

<sup>6</sup> Aug. 28, 1863, ibid., vol. xxix. part ii. p. 676.

<sup>7</sup> Aug. 23, 1863, ibid., ser. iv. vol. ii. p. 742.

<sup>8</sup> Aug. 25, 1863, ibid., p. 750.

<sup>9</sup> Aug. 10, 1863, ibid., p. 753.

who should attempt their arrest.<sup>1</sup> Summing up the mass of evidence which came to the War Department, Judge Campbell wrote, "The condition of things in the mountain districts of North Carolina, South Carolina, Georgia and Alabama menaces the existence of the Confederacy as fatally as either of the armies of the United States."<sup>2</sup>

In North Carolina a number of public meetings were held at which threats were made that there would be a combined resistance to conscription and the collection of taxes: these drew from Governor Vance a proclamation of warning and entreaty. Resistance by combination to the laws of the Confederate States is treason, he declared. "Let no one be deceived. So long as these laws remain upon the statute-book they shall be executed. Surely, my countrymen, you would not seek to cure the evils of one revolution by plunging the country into another."<sup>3</sup> Pillow reported that there were 6000 to 8000 deserters from Bragg's army (in Tennessee and Georgia); he gathered too great a number to shoot, therefore he sent them to the army of northern Virginia which was so far distant that they would find it impossible to make their way to their homes.<sup>4</sup>

The very much less frequent references to desertion in the official papers of 1864, the somewhat satisfied tone of Seddon's report of April 28, 1864,<sup>5</sup> the full ranks of Lee's and Johnston's armies and their heroic resistance are evidence that through the influence of public sentiment and the persistent rigour of the government the evil of desertion had by then been checked. Jones saw two conscripts in chains being taken to the train

<sup>1</sup> Aug. 7, 1863, O. R., ser. iv. vol. ii. p. 771, also p. 741.

<sup>2</sup> Sept. 7, 1863, *ibid.*, p. 786.

<sup>3</sup> Sept. 7, 1863, *ibid.*, p. 794.

<sup>4</sup> Oct. 5, 1863, *ibid.*, ser. iv. vol. ii. pp. 853, 869. Besides those which I have made specifically there are many other references to desertion in vol. ii. ser. iv.

<sup>5</sup> O. R., ser. iv. vol. iii. p. 342.

on the way to Lee's army.<sup>1</sup> An anonymous correspondent from Mississippi wrote to one of the newspapers, "It is a melancholy spectacle to see old gray-haired men dragged out to the field leaving a house full of little ones unprovided for."<sup>2</sup> Governor Vance requested that the conscription of State reserves from seventeen to eighteen and from forty-five to fifty be suspended; "their enrolment now," he said, "with the present prospect of their being called to the field from the crops causes the most general consternation and gloom."<sup>3</sup> Apparently this request was not granted.<sup>4</sup>

Another indication of the consistent severity of the government will appear in a reference to some abuses complained of in the fall of 1864. In September General Lee wrote that "the drain upon the strength of the army by exemption of civil officers, postmasters, clerks and mail carriers added to the details made for other purposes, is more than it can bear." For example a man elected justice of the peace claimed his discharge from military service and this was effected by a Richmond judge issuing a writ of habeas corpus in his favour. A contractor for a mail route in Georgia was likewise exempted by the court; but he had never seen his route and was actually engaged in business in Richmond.<sup>5</sup> James Phelan writing from Jackson, Mississippi, informed Davis that many able-bodied men were employed in the office work of the various departments.<sup>6</sup> To correct such evils the details which had been granted to persons between eighteen and forty-five were with slight excep-

<sup>1</sup> April 10, 1864, Diary, vol. ii. p. 185.

<sup>2</sup> Richmond *Examiner*, Nov. 14, 1864, cited by Garner, *Reconstruction in Mississippi*, p. 23.

<sup>3</sup> April 16, 1864, O. R., ser. iv. vol. iii. p. 307.

<sup>4</sup> I find no answer to the letter of April 16 but Seddon, April 23, replies to a somewhat similar request of Vance with a qualified and friendly nay. O. R., vol. liii. p. 329.

<sup>5</sup> *Ibid.*, ser. iv. vol. iii. p. 660 *et ante*; see also p. 562.

<sup>6</sup> Oct. 2, 1864, *ibid.*, p. 708.

tions revoked and the detailed men were ordered to report for active service.<sup>1</sup>

The military operations of the autumn of 1864 resulted in disaster to the Confederates and the re-election of Lincoln was notice that there would be no cessation of the vigorous onward movement of the Northern armies. Howell Cobb's recommendation on Christmas Day, 1864 that conscription be given up and volunteering resorted to again to recruit the army,<sup>2</sup> and the fact that there were 100,000 deserters<sup>3</sup> are not reasons for condemning the Confederate policy of conscription but they are among the many indications that the Southern cause was lost.

Closely connected with the opposition to impressment and conscription of which I have spoken was a resistance growing out of a desire for the reconstruction of the old Union that was sometimes openly manifested but more frequently furnished a basis for the organization of "disloyal" secret societies. While Vance, Brown, Stephens, Toombs and others set themselves against the drastic measures of the government, they nevertheless favoured a prosecution of the war until Southern independence were won. No well-defined political parties existed. In the different lists of members of the Confederate Congress men are not classified in the usual manner according to party affiliation. The terms "Democrat" and "Whig" were rarely heard, writes Mrs. Putnam, but whenever party distinctions were mentioned these former names were supplanted by Secessionist and Unionist.<sup>4</sup>

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<sup>1</sup> Oct. 5, 1864, O. R., p. 712. Judge Campbell wrote to B. R. Curtis, July 20, 1865, *Century Magazine*, Oct. 1889, p. 951, "This sweeping order of revocation . . . evinced extreme weakness; it carried despondency and dismay among the people." Everything which Judge Campbell wrote must be regarded with profound respect but the contemporary evidence does not lead me to his conclusion.

<sup>2</sup> O. R., ser. iv. vol. iii. p. 984.

<sup>3</sup> Report from the Bureau of Conscription, March 3, 1865, *ibid.*, p. 1119; *ante*, chap. xxiv.

<sup>4</sup> Richmond during the War, p. 269.

The loss of Fort Donelson gave rise to a factional opposition to Davis<sup>1</sup> but this was dissipated by the military successes of the following summer (1862). Vance in a letter to Davis in the autumn of 1862 referred to the "old Union men" and to the "original advocates of secession" drawing from him in reply the expression of a hope "that the party distinctions which existed at a former time would be buried."<sup>2</sup> State and congressional elections took place at regular periods but as no principle was involved in them they excited little interest and determined practically nothing. Vance was chosen Governor of North Carolina in August, 1862 by a large majority after a canvass in which it was maintained that his opponent was more emphatically the Southern candidate although Vance was avowedly in favour of the prosecution of the war.<sup>3</sup> In November of that year the Georgia legislature after a brief contest sent Herschel V. Johnson to the Senate; he was more moderate in his views than were his opponents but he would probably have failed of election had he not counselled acquiescence in the enforcement of the Conscription Act.<sup>4</sup> His election and that of Graham as senator from North Carolina caused some uneasiness in Richmond for the reason that they were not original Secessionists but Jones felt sure that they were as true to the cause of Southern independence as any others and he construed their choice to be a condemnation of military usurpation.<sup>5</sup> Brown was re-elected Governor of Georgia in the autumn of 1863; he dissented totally from the opinion favouring in any way a reconstruction of the old Union and declared that the Southern people ought never to lay down their arms until the independence of the Con-

<sup>1</sup> Vol. iii. p. 603; *Life of Yancey*, Du Bose, p. 677.

<sup>2</sup> Oct. 25, Nov. 1, O. R., ser. iv. vol. ii. pp. 146, 154.

<sup>3</sup> Appleton's Annual Cyclopaedia, 1862, p. 661; O. R., ser. iv. vol. ii. p. 146.

<sup>4</sup> Appleton's Annual Cyclopædia, 1863, p. 496.

<sup>5</sup> Diary, vol. i. p. 199.

federacy was recognized. His opponent's manifesto was much less emphatic.<sup>1</sup> Thomas H. Watts, a Bell and Everett elector of 1860, was summoned in August, 1863 from the Confederate Department of Justice by a large majority of the voters of Alabama to be her Governor. In a public letter after his election he denied that he favoured reunion; he breathed defiance of "Yankeedom" and said that rather than reunite with the "Puritanic race" who had yielded to "folly, wickedness and vandalism" he would see the Confederacy "desolated with fire and sword."<sup>2</sup> But at that same election in a district in the northern half of the State J. L. M. Curry was defeated for Congress by the opposition known as the "Peace party" because he was identified with the government and with what were esteemed well-established Southern principles.<sup>3</sup> In the same section of Alabama Colonel Streight, a Federal commander, found himself during a mounted infantry raid of April, 1863 "in the midst of devoted Union people."<sup>4</sup> There were also Union men in northern Georgia, eastern Tennessee and western North Carolina<sup>5</sup> but nowhere enough together to form a party organization such as generally put forward candidates for the State offices and for Congress. Sometimes the extent of Union sentiment as exhibited in the elections was overrated at the North.<sup>6</sup>

Pretty generally throughout the South there was a disaffected minority who complained of the acts of the government although their murmurs did not carry them to the point of desiring reunion. Alexander H. Stephens was an apostle of discontent in high office. Privy therefore to the aims of the minority and well informed by virtue of his position as to the views of congressmen

<sup>1</sup> Appleton's Annual Cyclopædia, 1863, p. 447.

<sup>2</sup> Ibid., p. 7; Life of Yancey, Du Bose, p. 648.

<sup>3</sup> O. R., ser. iv. vol. ii. p. 726.

<sup>4</sup> Ibid., vol. xxiii. part i. p. 287.

<sup>5</sup> See Cox's Military Reminiscences, vol. ii. p. 541.

<sup>6</sup> Tribune Almanac, 1864, p. 67.

and their constituents, he had a perfect comprehension of public sentiment. "The great majority of the masses both North and South," he wrote in a private letter, "are true to the cause of their side. . . . A large majority on both sides are tired of the war; want peace. . . . But as we do not want peace without independence, so they do not want peace without union."<sup>1</sup> Somewhat later Davis received the impression that North Carolina might prove an exception to this rule. He heard that the "Union or Reconstruction party" proposed holding meetings throughout the State under the leadership of William W. Holden the editor of the Raleigh *Standard* who according to the information received, was using his newspaper to urge "the people of North Carolina to resistance against their government and co-operation with the enemy." He asked Vance what was the truth in the matter: had Holden gone far enough to render himself liable to criminal prosecution? and at all events was not the case sufficiently grave to suggest some action? Vance replied that he did not believe there was a reconstruction party in his State and that it would be neither rational nor politic to interfere with Holden or his newspaper, as public sentiment and patriotism might be depended upon to check him should he attempt to provoke any resistance to the government;<sup>2</sup> but it is evident from his earnest proclamation of September 7, 1863<sup>3</sup> that in July of that year the Governor had not perceived the full force of the opposition.

Only a few days after his fervent pleading with the citizens of his State, Vance himself almost came into collision with the Confederate government. Certain expressions of so-called "treasonable" sentiment in North Carolina were obnoxious to some Georgia soldiers who were being transferred from Virginia to the

<sup>1</sup> Jan. 29, 1863, Johnston and Browne, p. 485.

<sup>2</sup> July 24, 26, 1863, O. R., vol. li. part ii. pp. 739, 740.

<sup>3</sup> *Ante*, p. 445.

neighbourhood of Chattanooga *via* Raleigh, and when on the way to that city they made threats of violence which came to Vance's knowledge prompting this appeal by telegraph to Davis: "For God's sake save us from this state of things by sending immediate orders to the officers. . . . If you wish to save North Carolina to the Confederacy, be quick."<sup>1</sup> Davis sent the proper orders but they did not restrain the men. "Infuriated soldiers" of a Georgia brigade, Vance wrote, entered the city and threatened burning and murder. He got together a force of his own to protect property and begged the others to desist from outrage when they menaced his life. Breaking into the office of the Raleigh *Standard*, they threw the type into the street and did other damage: this satisfied their destructive fury but their action wrought Vance up to a high pitch of excitement which manifested itself in a telegram and two letters to Davis. "This thing is becoming intolerable, . . ." he said. "Sir, the means of stopping these outrages I leave to you. It can be easily done if the officers will but try. If not done" I shall recall by proclamation the soldiers of North Carolina "from the field to the defence of their own homes."<sup>2</sup> The Governor was not pushed to this extremity. A mob of citizens destroyed the office of the *State Journal*, an ultra-secessionist newspaper of Raleigh; this served as a "counter irritant"; equal damage to both parties allayed the excitement.<sup>3</sup> It was about this time that Andrew Johnson told Dana that he had communications from Holden and others of North Carolina, who advised him that the people of the State, especially of the western portion, were true to the Union and would "seize the first opportunity to free themselves from

<sup>1</sup> Sept. 10, 1863, O. R., vol. li. part ii. p. 763.

<sup>2</sup> Sept. 11, ibid., p. 764.

<sup>3</sup> Ibid., pp. 764, 765, 768, 770; Jones's Diary, vol. ii. pp. 41, 45; Appleton's Annual Cyclopædia, 1863, p. 818.

the Confederate government.”<sup>1</sup> Later a Union meeting took place at Greensborough;<sup>2</sup> and a joint debate was held at Chapel Hill, the seat of the State University, where one of the debaters spoke for the Union and another advocated the prosecution of the war until Southern independence were achieved. A majority of the citizens present gave their voice for the Union, but all the students except two voted for a continuance of the war.<sup>3</sup> These were symptoms of a feeling which was not translated into action potent enough to be of assistance to the North in the great struggle, as indeed was manifested by the election of a governor in August, 1864 when 20,448 voted for Holden, who was called the “peace-at-any-price candidate,” and 54,823 for Vance who favoured continued co-operation with the sister States of the Confederacy.<sup>4</sup>

A portion of the disaffected minority organized themselves into secret societies and one of these which had a large membership in the midland eastern counties of Alabama was exposed in the spring of 1864. Its general designation was the “Peace Society” and it had signs, degrees, grips and passwords, solemn oaths and dreadful penalties. Its professed object was peace. In elections it often succeeded by covert means in choosing men secretly devoted to it for places of public trust, and it was said to have been the main influence in the defeat of Curry for Congress and to have for its objects, “the

<sup>1</sup> Sept. 8, 1863, O. R., vol. xxx, part i, p. 183. “There have been a flood of rumors as to the disloyalty of particular districts and localities of the State,” said the Governor of Mississippi in his message to his legislature, Nov. 3, 1863, “but I have received no reliable information of any considerable disaffection in any quarter. It is perhaps true that some individuals taking counsel of their fears have taken the oath of allegiance to and sought the protection of the government of the United States.”—O. R., ser. iv, vol. ii, p. 919.

<sup>2</sup> Jones’s Diary, vol. ii, p. 145.

<sup>3</sup> Letter of Nov. 17, 1901, from P. H. Winston who as a student was present at the meeting.

<sup>4</sup> Appleton’s Annual Cyclopædia, 1864, p. 589.

encouragement of desertion, the protection of deserters from arrest and resistance to conscription." Among its members were some officers and soldiers of Bragg's army, who maintained that the purposes of the society were not treasonable. Seventy of these were sent to Mobile in irons for trial but no one of them was shot.<sup>1</sup> Secret societies also existed in Georgia and Mississippi;<sup>2</sup> and in the autumn of 1864 government detectives revealed the acts, designs and mummeries of the "Heroes of America" in southwestern Virginia which were similar to those of the Alabama Peace Society.<sup>3</sup>

These secret organizations availed nothing, so far as I have been able to discover, in the way of assistance to the work of the Union armies although they disturbed the Confederate government, whose defence against them and other forms of "disloyalty" lay in the suspension of the writ of habeas corpus, which enabled President Davis to declare martial law where necessary and secure the arrest and detention of suspected persons. The authority to suspend the writ was at first conferred on the executive by two special acts of Congress. The original act of February 27, 1862 giving a general authorization, was on the subsequent April 19 modified by another statute limiting the arrests to those made by the Confederate authorities and providing that the suspension of the writ should continue no longer than for thirty days after the next meeting of Congress.<sup>4</sup> By virtue of the original act Davis had by different proclamations declared martial law in Rich-

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<sup>1</sup> O. R., vol. xxxix. part ii. p. 588; ser. iv. vol. ii. p. 726; vol. iii. p. 393 *et seq.*; *ante*.

<sup>2</sup> *Ibid.*, vol. xxiv. part iii. p. 588; ser. iv. vol. iii. p. 393.

<sup>3</sup> *Ibid.*, p. 802 *et seq.* For an account of "an organization of a most dangerous character" unearthed by Magruder in Texas in 1863 and the proceedings in connection with it, see O. R., vol. xxvi. part ii. pp. 301, 312, 327, 458; ser. ii. vol. vi. pp. 560, 562-565, 1052, 1076, 1077, 1092, 1095-1097, 1118; vol. vii. pp. 5, 23, 62, 79, 153, 217, 218, 371, 393, 397, 404, 433; ser. iv. vol. iii. p. 203.

<sup>4</sup> Statutes at Large, 1st Sess. pp. 1, 40.

mond, Petersburg and in fifteen Virginia counties besides; one of his generals had established it in parts of Mississippi; another with the consent of her Governor in a part of South Carolina including Charleston, and still another in Atlanta and Mobile.<sup>1</sup> These operations and others of the same kind met with considerable disapprobation. Alexander H. Stephens argued strenuously in private and in public that neither the President, Congress nor a general in the field had the power to establish martial law; that the suspension of the writ of habeas corpus, which was clearly the right of Congress under the constitution, could confer on no one such authority; nor did the suspension authorize arbitrary arrests or dispense with the right to a speedy and public trial by jury.<sup>2</sup> Vance complained of the unlawful arrest and detention of citizens of North Carolina for "alleged political offences";<sup>3</sup> and an attorney of Petersburg wrote to Davis that civilians had been arrested by military orders, and tried by courts martial which had subjected some of them to unusual punishments.<sup>4</sup> October 13, 1862 Congress during its second session, renewed the act authorizing the suspension of the writ of habeas corpus but provided for the investigation of the cases of the persons arrested, so that they might be discharged if improperly detained unless they could have a speedy trial.<sup>5</sup> The proposal to re-enact the statute gave rise to debate in which opposition to President Davis was manifested. In the Senate Yancey said, "I deny in toto that the war power in this government is superior to the civil power;" and each

<sup>1</sup> O. R., vol. li. part ii. pp. 482, 493, 502, 517; vol. xiv. pp. 486, 489, 497, 504, 570, 593, 594, 596; Johnston and Browne, p. 417; Life of Yancey, Du Bose, p. 682.

<sup>2</sup> Johnston and Browne, p. 417 *et seq.*; Jones's Diary, vol. i. p. 163.

<sup>3</sup> O. R., vol. li. part ii. p. 644; ser. iv. vol. ii. p. 188.

<sup>4</sup> Dec. 23, 1862, pamphlet, Boston Athenaeum. This and Vance's complaint were subsequent to the second session of the first Congress, but being typical are thus inserted.

<sup>5</sup> 2d Sess. p. 84.

House declared separately that no power existed under the constitution to institute martial law although a joint resolution to that effect failed.<sup>1</sup> But the grievances of Vance and of the attorney of Petersburg seem to have been removed.<sup>2</sup>

By the limitation of the act of October 13, 1862 the authority to suspend the writ of habeas corpus expired on February 12, 1863 and was not renewed at the third session. As the South was then at the high tide of military success the necessity for arbitrary measures may not have seemed pressing; at all events the government was carried on for a year thereafter with the great privilege available to the citizens of the Confederacy.

To the Congress which was in session during February, 1864 Davis sent a special message, in which he called their attention to the formation of "secret leagues and associations," to the "disloyalty and hostility to our cause" of men in "certain localities" who were permitted to go at large "through too strict regard to the technicalities of the law," and to the protection of deserters by writs issued by judges: for these, and other evils mentioned, he urged, as the sole remedy, the suspension of the privilege of the writ of habeas corpus.<sup>3</sup> Congress paid heed to his recommendation and at once passed such an act which nevertheless differed from the preceding ones in that Congress itself declared the suspension of the writ instead of authorizing the President to suspend it. Congress further restricted the suspension to arrests made under the authority of the President and Secretary of War and defined the offences to which it should apply. The tenor of the statute was to restrict the power of the

<sup>1</sup> Jones's Diary, vol. i. pp. 159, 169; Life of Yancey, Du Bose, p. 699; Johnston and Browne, p. 421.

<sup>2</sup> O. R., vol. xviii. p. 778; Seddon to Collier, Dec. 30, 1862, Collier to Seddon, Jan. 5, 1863, pamphlet, Boston Athenæum.

<sup>3</sup> Feb. 3, 1864, O. R., ser. iv. vol. iii. p. 67.

executive in favour of individual liberty; and unlike the first act it did not imply the President's power to institute martial law.<sup>1</sup> Nevertheless in a speech before the Georgia Senate and House Stephens condemned the statute and responding to a message of Governor Brown, the legislature of that State declared that it was unconstitutional.<sup>2</sup> Mississippi and North Carolina likewise by legislative resolutions expressed their repugnance to the law.<sup>3</sup>

In one respect the statute of February 15, 1864 was more liberal to the executive than the preceding ones; the suspension of the writ did not expire until ninety days after the next meeting of Congress and therefore remained in force until August 2. It was not re-enacted although Davis told his House of Representatives in May<sup>4</sup> that its operation had been beneficial, nor was the writ of habeas corpus again suspended during the existence of the Confederacy.

In November, 1864 the Confederate President submitted to his Congress the reports of detectives and of the general of the department showing the existence of a secret society in southwestern Virginia;<sup>5</sup> with them went the opinion of a lawyer of experience and the statement of the Secretary of War that the design of the association was treasonable. Davis himself called the movement "a dangerous conspiracy" and recommended the suspension of the writ of habeas corpus, concluding his message with the assurance that since the suspension had expired "serious embarrassment" had been encountered, particularly at Mobile, Wilmington and Richmond, as the military authorities were unable to arrest and de-

<sup>1</sup> The act was approved, Feb. 15, 1864. See the statute and instructions of the War Department, O. R., ser. iv. vol. iii. p. 203; Johnston and Browne, pp. 453, 455; Cleveland's Stephens, p. 774.

<sup>2</sup> Cleveland's Stephens, p. 767; O. R., ser. iv. vol. iii. pp. 234, 281, 374.

<sup>3</sup> O. R., ser. iv. vol. iii. p. 1150; Johnston and Browne, p. 459. The Mississippi legislature passed the resolutions unanimously.

<sup>4</sup> O. R., ser. iv. vol. iii. p. 429.

<sup>5</sup> *Ante*, p. 453.

tain "suspected persons" against whom the moral evidence was sufficient, though legal proof to secure their conviction could not be adduced.<sup>1</sup> During their last session (November 7, 1864 to March 18, 1865) the Confederate Congress devoted much time to the consideration of the subject. On November 10 a bill providing for a limited suspension of the writ of habeas corpus was reported to the House from the Committee on the Judiciary and was discussed almost daily until December 8 when it passed in an amended form by a vote of 50 : 44. The Senate considered it for four days (December 16–20) and passed the bill with amendments of their own by 14 yeas to 6 nays. Going back to the House it was referred to the Committee on the Judiciary where it slept until March 1, 1865, was then reported to the House which failed to concur in the amendments of the Senate. Prompted undoubtedly by Davis's urgent secret message of March 13, 1865, the House passed the next day a new bill for the suspension of the writ which on March 16 was defeated in the Senate by a vote of 9 : 6. The Congress took no further action and two days later their last session was ended.<sup>2</sup>

The number of political arrests at the South were fewer than at the North and the large proportion of them were made in the immediate seat of war. The enjoyment of despotic power so noticeable in the proceedings of Seward and Stanton is not apparent in the officials of the Confederacy; and there is no reason to question the sincerity of Seddon in his report to Davis answering a resolution of inquiry of the House of Representatives. He furnished a list of the "civilian pris-

<sup>1</sup> Nov. 19, O. R., ser. iv. vol. iii. p. 819 *et ante.*

<sup>2</sup> Journal Confederate Congress MS. For a summary of this action of the Confederate Congress I am indebted to Brigadier-General F. C. Ainsworth, Chief of the Record and Pension Office, War Department. See O. R., ser. iv. vol. iii. pp. 1134, 1150; Jones's Diary, vol. ii. pp. 359, 369. The account of Johnston and Browne (p. 477) probably refers to the vote of 10 : 10 Dec. 20, 1864, on a motion to reconsider a vote on an amendment.

oners" confined in Richmond and Salisbury (N. C.) and wrote: "No arrests have been made at any time by any specific order or direction of this Department. The persons arrested have been taken either by officers of the Army commanding in the field or by provost-marshalss exercising authority of a similar nature and the ground for arrest is or ought to be founded upon some necessity or be justified as a proper precaution against an apparent danger. The Department has had commissioners to examine those persons with directions 'to discharge those against whom no well-grounded cause of suspicion exists of having violated a law or done an act hostile or injurious to the Confederate States. . . .' Under the examinations that have been made a large number of prisoners have been discharged and none are retained unless there be a cause of suspicion supported by testimony rendering it probable that the discharge of the prisoner will be prejudicial to the public interest."<sup>1</sup>

In the story of discontent, our attention has been confined to the white people of the South. A word should now be said of the three and a half million slaves. Before the war the fear of slave risings at the South was real and ever present,<sup>2</sup> and the paragraph added to Lincoln's complementary edict of freedom shows that they were later an eventuality considered at the North.<sup>3</sup> The proclamation of emancipation (September 22, 1862) caused a profound sensation in the Confederacy. Six days after its publication it was the subject of debate in the Senate and "some of the gravest" of the senators proposed as a measure of retaliation

<sup>1</sup> Feb. 27, 1863, O. R., ser. ii. vol. v. p. 838; also pp. 187, 775, 776, 791, 795, 798-800, 826, 837, 838, 929; vol. i. pp. 848-851, 854, 870, 879; vol. ii. pp. 1371, 1374, 1392, 1413, 1417, 1429, 1433, 1550-1557; vol. iii. p. 892; vol. iv. pp. 368, 622, 920, 950; vol. vi. pp. 116, 176, 432, 862; vol. vii. pp. 35, 100, 515; ser. i. vol. xviii. p. 778; ser. iv. vol. ii. p. 188. For the case of W. A. Hurlbert, see ser. ii. vol. ii. pp. 1490-1500; for that of John Minor Botts, pp. 1545-1547.

<sup>2</sup> See vol. i. p. 876.

<sup>3</sup> See vol. iv. p. 213.

the raising of the black flag.<sup>1</sup> Thomas A. R. Nelson, who had been a Union man,<sup>2</sup> now endeavoured in an address to the people of east Tennessee, to rally them to the support of the Confederacy on the ground of the Federal administration's determination to abolish slavery. To them he spoke of Lincoln's proclamation as an act of "atrocities and barbarism."<sup>3</sup> Judge Campbell wrote, "Our enemy is seeking to find an ally among those in our own household and to add a servile to the horrors of a civil war."<sup>4</sup> Governor Vance in a message to his legislature said, "In the bitterness of their baffled rage our abolition foes have even shown a determination to re-enact the horrors of Saint Domingo and to let loose the hellish passions of servile insurrection to revel in the desolation of our homes."<sup>5</sup> General Beauregard telegraphed to a South Carolina member of Congress: "It is high time to proclaim the black flag for abolition prisoners [taken] after January 1, 1863. Let the execution be with the garrote."<sup>6</sup> Governor Brown wrote to Davis on November 24, 1862 requesting the return of part of the powder which the State of Georgia had loaned to the Confederate government alleging as a reason that "We anticipate trouble with our slaves during the approaching holidays and fear we shall need the powder."<sup>7</sup> Davis in his message to his Congress of January 12, 1863 said that the negroes were "encouraged to a general assassination of their masters by the insidious recommendation 'to abstain from [all] violence

<sup>1</sup> Jones's Diary, vol. i. p. 159; Appleton's Annual Cyclopædia, 1862, p. 268. A number of propositions were discussed, but no resultant action was then taken by Congress.

<sup>2</sup> See his letter, vol. iii. p. 314, note 2.

<sup>3</sup> Oct. 3, 1862, O. R., vol. xvi. part ii. p. 909.

<sup>4</sup> Oct. 27, 1862, *ibid.*, p. 980.

<sup>5</sup> Nov. 17, 1862, *ibid.*, ser. iv. vol. ii. p. 190; see General Pillow, *ibid.*, p. 362.

<sup>6</sup> Oct. 13, 1862, O. R., ser. ii. vol. iv. p. 916.

<sup>7</sup> *Ibid.*, p. 208; for reply by Seddon, see p. 262; for other expressions of apprehension, pp. 303, 334.

unless in necessary self-defence’’;<sup>1</sup> and this bitter feeling of Davis pervaded the joint resolution of Congress denouncing the proclamation, authorizing retaliation and providing for the disposition of negroes taken in arms and the punishment of their white commanders.<sup>2</sup> When in Richmond on July 1, 1863 Stephens spoke of the discovery of a plan to incite a rising of the slaves;<sup>3</sup> and seven months later Davis argued as one of the reasons for the suspension of the writ of habeas corpus that apprehensions had “more than once been entertained of a servile insurrection in Richmond.”<sup>4</sup>

All these fears were groundless. A careful search through a mass of Southern literature has discovered but two attempts at risings: one in Virginia for which the evidence is unsatisfactory<sup>5</sup> and another in South Carolina which indeed was so insignificant as hardly to be dignified with the name of an attempt. A band of runaway slaves fired upon some Confederate pickets on Edisto Island (S.C.) but they apparently made no other demonstration of their objects. Five negroes were arrested and tried by a civil court: three were acquitted, one was remanded to prison for further proofs and another, supposed to be the leader, was found guilty and hanged.<sup>6</sup> The evidence warrants the oft-repeated statement that the blacks made no move to rise.<sup>7</sup> “A

<sup>1</sup> Appleton’s Annual Cyclopædia, 1863, p. 786. The words inside quotation marks are part of the paragraph added to the proclamation of Jan. 1, 1863. Davis misconstrued sadly Lincoln’s careful procedure.

<sup>2</sup> May 1, 1863, Statutes, 3d Sess. p. 167; my vol. iv. p. 334.

<sup>3</sup> Johnston and Browne, p. 444.

<sup>4</sup> Feb. 3, 1864, O. R., ser. iv. vol. iii. p. 68.

<sup>5</sup> Richmond *Examiner*, July 10, 11, 12, 1862.

<sup>6</sup> Charleston *Courier*, March 17, 1862.

<sup>7</sup> Jones wrote July 3, 1864: “There has been no instance of an attempt on the part of the slaves to rise in insurrection.” — Diary, vol. ii. p. 244. General Richard Taylor said: “The white men of the South should ever remember that no instance of outrage occurred during the war. Their wives and little ones remained safe at home surrounded by thousands of faithful slaves who worked quietly in the fields until removed by the Federals.” — *Destruction and Reconstruction*, p. 210. See Brown, *The Lower South*, p. 160; Thomas Nelson Page, *McClure’s Magazine*, March, 1904, p. 552.

thousand torches," Henry Grady declared, "would have disbanded the Southern Army, but there was not one."<sup>1</sup> Instead of rising they showed patient submission and fidelity to their owners. It was their labour that produced food for the soldiers fighting to keep them in slavery and without them the cotton could not have been raised which brought supplies from Europe and the North. Our great strength, declared a Confederate official, consists in our system of slave labour because it "makes our 8,000,000 productive of fighting material equal to the 20,000,000 of the North."<sup>2</sup> One owner or overseer to twenty slaves was exempted from military service "to secure the proper police of the country,"<sup>3</sup> but a study of the life indicates that he was needed not for their restraint but for their intelligent direction. As a matter of fact the able-bodied negroes were at home on the plantation in the sparsely settled country of the Confederacy while with few exceptions the white people in the neighbourhood were old or diseased men, women and children. It is a wonderful picture, one that discovers virtues in the Southern negroes and merit in the civilization under which they had been trained.

Concrete examples portray well such a life when vividly presented from a woman's point of view. "Spite of the infamous proclamation our servants are still loyal," said in a private letter a woman from Alabama, "and never rendered more cheerful obedience; indeed their interest in our soldiers and anxiety for the return of peace seems as great as our own. During the Christmas week we had two thousand soldiers passing through this place daily, and we undertook, in conjunction with our neighbors, to give them a Christmas dinner to remind them of home. This, of course, involved much

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<sup>1</sup> T. N. Page, just cited.

<sup>2</sup> Nov. 11, 1863, O. R., ser. iv. vol. ii. p. 946; cf. my vol. iii. p. 397.

<sup>3</sup> Act of Oct. 13, 1862; by act of Feb. 17, 1864, one to "fifteen able-bodied field hands."

extra cooking, and it being the servants' holiday we were much distressed that our charity should infringe on their privileges. We, therefore, determined to remunerate them for their trouble but when I offered them the money they seemed quite hurt and said 'that they wanted to do their part for our soldiers and not having any money could only give their time.'"<sup>1</sup> "The plantation life went on as usual," wrote Mrs. Smedes referring to the early part of 1863. "The servants went about their duties, we thought, more conscientiously than before. They seemed to do better when there was trouble in the white family, and they knew that there was trouble enough when all the young men in the family were off at the wars. They sewed on the soldiers' clothes and knit socks for the army, and packed the boxes with as much alacrity as the white people did. They were our greatest comfort during the war."<sup>2</sup> From his prison at Fort Monroe, Jefferson Davis wrote to his wife in October, 1865, "I hope the negroes' fidelity will be duly rewarded."<sup>3</sup>

There is another side to the subject. There were a number of complaints of murders by negroes in the country and of their thefts and insolence in cities;<sup>4</sup> but in view of the prevailing domestic tranquillity and of the gross results of their labour in food and cotton, these crimes and misdemeanours may be regarded as only the usual excrescences on any body politic.

The war did not stop the trade in slaves. From Atlanta came a report of "the greatest negro sale" that had ever taken place in that market; "twenty-five negro

<sup>1</sup> Feb. 1863, *The Index*, April 2, 1863.

<sup>2</sup> Smedes, *Southern Planter*, pp. 196, 197.

<sup>3</sup> Life of Davis, by his wife, vol. ii. p. 722.

<sup>4</sup> Richmond *Whig*, Oct. 24, Dec. 25, 1862; Richmond *Examiner*, Dec. 2, 1862, May 19, 1863, March 5, July 19, 1864; Mobile *Advertiser*, Dec. 29, 1864; Augusta *Chronicle*, Dec. 29, 1864, Feb. 17, 1865; Richmond during the War, p. 264. For rumours of another class of offences, see Jones's Diary, vol. ii. p. 236.

men were sold to a railroad company for \$35,725.”<sup>1</sup> Other reports of slave auctions may be found occasionally in the newspapers, in which the names of the men and women sold and the prices they fetched are given with businesslike detail. The remark is made in the report of a sale in Augusta October 7, 1863 that “a considerable amount of negro property changed hands at ‘war prices’;” and a year later the comment on an auction in the same city is, “These are excellent prices and show a marked appreciation in this species of property.”<sup>2</sup> Two prominent advertisements of dealers in Mobile appear in Lloyd’s Southern Railroad Guide for October and November, 1863, running thus: “Negro mart. Negroes bought and sold. Ample room for the accommodation of several hundred servants, having two large yards. Negroes sold on commission.” Freemantle had his sympathy for the South disturbed by what he saw at the end of a slave auction in Charleston. “The negroes,” he wrote, “about fifteen men, three women, and three children, were seated on benches looking perfectly contented and indifferent. I saw the buyers opening the mouths and showing the teeth of their new purchases to their friends in a very businesslike manner. This was certainly not a very agreeable spectacle to an Englishman.”<sup>3</sup> Nowhere have I found a mention of any resistance by these human chattels to the disposition of themselves by sale and purchase.

The slaves came to know of Lincoln’s Proclamation of Emancipation and they had a vague idea that the success of the Northern arms would set them free. As the Union armies penetrated into the country negroes in great number who had fanciful ideas of what freedom meant followed them often to the manifest inconvenience of the commanders. The slaves were friendly to

<sup>1</sup> Richmond *Whig*, Oct. 24, 1862.

<sup>2</sup> Augusta *Chronicle*, Oct. 7, 1863, Oct. 5, 1864.

<sup>3</sup> Freemantle, p. 191.

the Union soldiers who came in their way; they fed any who escaped from Southern prisons and, by handing them on from one to another guided them to the Federal lines. At the same time they would conceal the valuables of their mistresses lest they should be stolen by the camp followers and stragglers of the Union army, showing some craft in keeping the hiding-places secret. Thus they maintained a divided allegiance. Many Confederate officers were saved from death or capture by the care and devotion of their body-servants while other negroes served as guides to Union generals when important offensive movements were on foot. At Charleston May 13, 1862 some negroes on their own initiative worked a feat showing a desire to harm their old masters and assist the invaders from the North. A coloured crew of eight, all slaves, took the Confederate armed despatch and transportation steamer *Planter* from her wharf, between three and four in the morning, when neither the captain, mate, nor engineer was on board. Flying the palmetto and Confederate flags she whistled the proper signals as she passed Fort Sumter and the other forts, and after getting beyond the range of the last gun she hauled down the Southern flags, hoisted a white one and steamed for the blockading squadron to which she surrendered. The *Planter* was deemed a desirable acquisition, having besides her own armament four guns destined for the new fort in Charleston harbour.<sup>1</sup>

Great organized institutions of beneficence like the Sanitary Commission and the Christian Commission did not exist at the South but there were a number of small associations, working in a limited field, to alleviate the misery of war. There was, besides, much unorganized

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<sup>1</sup> Official Records, Naval, vol. xii. p. 820. A short while before an engineer's barge had been brought out to the blockading fleet by "several contrabands."

effort among women and clergymen whose work was done at their own homes. Richmond was near the seat of war and after the battles the wounded were brought to the city in such numbers as to demand unremitting labour to relieve their sufferings. In 1862 there were thirty-five public and private hospitals in Richmond and churches were likewise converted into temporary abiding-places for those who had been shot in the field. Devotion to the Southern cause beat high in the hearts of their womankind compelling well-born and fastidious ladies to the care of men wounded in every distressful and revolting manner and tormented by physical suffering which, from lack of anæsthetics and morphine, the surgeons were often powerless to relieve. It was the case we all know,—

“ When pain and anguish wring the brow  
A ministering angel thou ! ”

But old as it is there is always fresh inspiration in it to those who tell the tale of a cause they have embraced. Confederate writings are full of gratitude to the women, their works in Richmond being matched everywhere throughout the Confederacy. In the dry record of the Statutes at Large appears the resolution of the thanks of Congress “ to the patriotic women of the Confederacy for the energy, zeal and untiring devotion which they have manifested in furnishing voluntary contributions to our soldiers in the field and in the various military hospitals throughout the country.”<sup>1</sup>

Heavily as the war bore on Northern women the distress of Southern women had a wider range. In the

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<sup>1</sup> April 11, 1862 ; A Southern Planter, Smedes, p. 219 ; Stevenson's Thirteen Months in the Rebel Army, p. 176 *et seq.* ; Reports of Georgia Relief and Hospital Association, 1862, 1863, Boston Athenæum ; A. T. Porter, Led On, pp. 131, 169 ; Augusta *Chronicle*, June 23, 1863, March 29, June 1, 1864 ; Charleston *Courier*, 1864, *passim* ; Curry's Civil History of Confederate States, pp. 169-175 ; Richmond during the War, pp. 135, 201, 316 ; Diary of a Refugee, pp. 169, 176, 178, 188 ; Life of J. Davis, Mrs. Davis, vol. ii. p. 204.

Union there were many families who had no near relative in the war; in the Confederacy it was a rare exception when neither husband, father, son nor brother was in the army: hardly a household was not in mourning. Moreover the constant suspense affected a larger number than at the North. In Richmond where intelligence of battles was received with comparative promptness the frequent sounding of the tocsin indicating the proximity of danger increased the general disquietude, while those who lived in the country, where newspapers were infrequent and mails irregular, felt they would have preferred living in the midst of alarms to having their anxious uncertainty thus prolonged. Physical privations are far from alleviating moral distress and the lack of luxuries and then of necessities increased the harshness of woman's lot in the Confederacy. Moreover it seemed to them that the North had undertaken a crusade against the social fabric under which they and their mothers had been reared and that the war which caused their sufferings had been forced upon the South for the defence of her vested rights. The devastation of country, the wanton destruction in cities, the constant pillage by the more disreputable of the Northern soldiers exasperated them to a point where they could no longer control their feelings but gave vent to many violent expressions of indignation some of which are recorded in the diaries of the period.<sup>1</sup>

Fully as noticeable as at the North was the profound religious sentiment pervading soldiers and people. The preacher spoke of the "active piety" which prevailed in the army,<sup>2</sup> and Seddon in his report of April 28, 1864 attested "a large religious element and much devotional feeling."<sup>3</sup> George Cary Eggleston relates that in the

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<sup>1</sup> See Diary of a Refugee, p. 231, also p. 264; Jones's Diary, vol. i. p. 382; vol. ii. pp. 82, 144, 203.

<sup>2</sup> Sermon, April 8, 1864, hitherto cited.

<sup>3</sup> O. R., ser. iv. vol. iii. p. 330.

last year of the war a revival took place among Lee's soldiers. "Prayer-meetings were held in every tent. Testaments were in every hand and a sort of religious ecstasy took possession of the army."<sup>1</sup> The Bible Society of the Confederate States displayed considerable activity. Many Bibles and volumes of Testaments and of Testaments bound together with the Psalms were printed; a large number of Bibles and Books of Common Prayer came from England through the blockade. The South Carolina Tract Society published "The Soldier's Pocket Bible. Issued for the use of the army of Oliver Cromwell." Many sermons, tracts, hymn-books for camp worship, and religious "songsters" for the army were printed. The conventions of the different church organizations seemed to be held as usual, and at a Southern Baptist Convention a report was read which shows that despite the stress at home, the Baptists had not lost interest in their missions in Africa and China. By a shipment of cotton and with the aid of a committee in Baltimore they had been enabled to forward some funds to their missionaries abroad. Their missions among the Indians of the West having been broken up by the war were newly established among the soldiers of the Confederacy. In the annals of the Episcopal church an incident is recorded that relieves with its amenity the bitterness of the war. The bishops and clergy of the South appealed to their brethren at the North to send down two or three thousand prayer-books and a quantity of church tracts for use in the Confederate army: the United States government gave permission for passing these through the lines of the Union army.<sup>2</sup>

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<sup>1</sup> Recollections of a Rebel, p. 240; see also Curry, p. 175 *et seq.*; A. T. Porter, pp. 134, 138.

<sup>2</sup> Augusta *Chronicle*, April 24, May 11, Sept. 15, 1863; Second Annual Report Bible Society C. S. A. (Augusta, 1864); Journal of the Proceedings of Protestant Episcopal Church held in St. Paul's church, Augusta, Nov. 12 to Nov. 22, 1862. These last are pamphlets in the Boston Athenæum which

The engrossing concerns of the war did not entirely preclude an interest in books. A few of the popular novels came through the blockade but more of them were reprinted by publishing houses in Richmond, Mobile and other cities from copies imported for that purpose from Europe. Victor Hugo's "Les Misérables" pronounced in the Army of Northern Virginia "Lee's Misérables" was one of the most popular and was printed in English by a Richmond firm who also published the "Romance of a Poor Young Man" by Octave Feuillet and other stories less known at the present day, besides issuing Pollard's annual histories of the war. Columbia reprinted Thackeray's "Adventures of Philip" and Mobile an English translation of some of Louise Mühlbach's historical novels; also on wall paper Freemantle's "Three Months in the Southern States." Words of encouragement to Southern authors might be read and approbation of the publishers for their efforts to develop "an independent and patriotic literature." The public eagerly awaited the appearance of a new romance by Augusta J. Evans whose "Beulah" had been thought by the uneducated a story evincing deep philosophical knowledge. In October, 1864 one might see this advertisement: "New edition. Twentieth Thousand!! Macaria or Altars of Sacrifice. By Augusta J. Evans, authoress of 'Beulah.'" But there were not enough of new books to supply the want and readers took down from their shelves Addison and Steele, Baxter and Doddridge. "Old gentlemen past the military age," writes Professor Gildersleeve, "furnished up their Latin and Greek." There were soldiers too who knew their classics. When a "Confederate volunteer opened his Thucydides" and began reading "Thucydides of Athens wrote up the war of the Pelop-

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has in its Confederate collection a large number of tracts and sermons in pamphlets, also Bibles and prayer-books; New York *Church Journal* cited in Appleton's Annual Cyclopædia, 1863, p. 219.

ponnesians and Athenians? he might have thought as he read on that the ancient strife between Athens and Sparta was recommenced on the new continent.<sup>1</sup>

The advertisements and notices of schools in the newspapers and the number of Confederate school books which are now in various libraries at the North would appear to indicate that the public and private schools went on pretty much as in the time of peace. That must have been a rare instance which is recorded in the "Diary of a Union Woman in the South": the school at the nearest town to the Mississippi plantation where she was living was broken up and it was said that the children were "growing up heathens."<sup>2</sup> The schools fared better than the higher institutions of learning which were closed or maintained only with difficulty. The enforcement of the Conscript Act wrote Governor Brown to Davis soon after its passage will suspend the State University of Georgia, the other colleges and the Military Institute.<sup>3</sup> The University of Virginia had more than 600 students in 1861 and less than 40 two years later; the faculty begged Seddon not to enforce the Conscript Act in regard to their students as not more than 10 probably were amenable and the enrolment and subsequent proceedings might lead to a suspension of the college work. Seddon replied January 8, 1863 that they must be enrolled but might then be furloughed or detailed until the 4th of July.<sup>4</sup> The military colleges of South Carolina, Virginia, Georgia and

<sup>1</sup> A Southerner in the Peloponnesian War, Gildersleeve, *Atlantic Monthly*, Sept. 1897; Richmond *Examiner*, Jan. 28, 1862; *Dispatch*, Feb. 3, 1862, Oct. 11, 1864; *Whig*, Sept. 22, 1863; *Charleston Courier*, Nov. 18, 1862, Jan. 20, 1863; *Mobile Advertiser*, Feb. 1, 1863, March 10, Oct. 7, 1864, Jan. 1, 5, March 26, 1865; *Augusta Chronicle*, Jan. 2, May 15, Aug. 1, 1863, Jan. 8, Oct. 9, 1864; Feb. 11, 1865.

<sup>2</sup> Oct. 31, 1862, *Century Magazine*, Oct. 1889, p. 945.

<sup>3</sup> April 22, 1862, O. R., ser. iv. vol. i. p. 1084.

<sup>4</sup> *Ibid.*, vol. ii. pp. 297, 308. Gildersleeve writes that the students "were chiefly maimed soldiers and boys under military age." — *Atlantic Monthly*, Sept. 1897, p. 337.

Alabama applied for exemption which could not be granted by the War Department.<sup>1</sup> The Virginia Military Institute—the institute of Stonewall Jackson—was “filled to its utmost capacity.”<sup>2</sup> In June, 1864 “their fine buildings” were burned by the Union troops, after which the almshouse near Richmond was obtained for the school in order that the exercises might be continued.<sup>3</sup>

In concluding this survey a comparison between South and North touching certain traits naturally suggests itself. The Confederate Congress refused a number of times to make their Treasury notes a legal tender, construing the clause of the constitution, alike in the Confederate and Federal, which related to the subject, more strictly than did the United States Congress: in the thorough discussions that took place it was mainly the constitutional arguments which prevented such legislation although supported by many men of influence, among them General Lee.<sup>4</sup>

In the practical application of the clause of the Constitution, “The privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it,”<sup>5</sup> the Confederate government exhibited the greater regard for the liberty of the individual, and the Southern citizen the greater jealousy of the use of arbitrary power. Lincoln from the first assumed the right to suspend the writ

<sup>1</sup> O. R., ser. iv. vol. i. p. 1121.

<sup>2</sup> June 13, 1863, *ibid.*, vol. ii. p. 502.

<sup>3</sup> *Ibid.*, vol. iii. p. 922; see my vol. iv. p. 496, note 2; *Charleston Courier*, Jan. 11, Sept. 27, 1862, March 24, 1864; *Richmond Whig*, 1863, *passim*, Feb. 10, 1865; *Examiner*, Sept. 1, 1864; *Enquirer*, 1864, *passim*; *Augusta Chronicle*, Oct. 31, 1862, Jan. 7, 1864; *Mobile Advertiser*, 1864, *passim*, Jan. 1, 1865; *Appleton's Annual Cyclopædia*, 1862, p. 800.

<sup>4</sup> Schwab, p. 86 *et seq.*; Jones's Diary, vol. i. p. 176; my vol. iii. p. 572.

<sup>5</sup> The same in both constitutions except that in the Confederate it is case instead of cases.

by executive decree, a right never claimed by Davis. It was generally conceded at the South that Congress alone possessed this power and the privilege was available to the citizens of the Confederacy except when curtailed by express statute. The account which I have given of the course of this legislation displays the consideration of the executive for the rights of Congress. And the Confederate Congress asserted its rights boldly enough, declaring in the act of February 15, 1864 that "the power of suspending the privilege of said writ . . . is vested solely in the Congress which is the exclusive judge of the necessity of such suspension." We have seen too that there was much opposition by the public even to the limited suspension authorized or decreed by Congress. The war may be said to have lasted four years: the periods of suspension of the writ in the Confederacy amounted in the aggregate to one year, five months and two days, less than one-half of the war's duration. In the Union the writ was suspended or disregarded at any time and in any place where the executive, or those to whom he delegated this power, deemed such action necessary. For any one who in any manner or degree took an unfriendly attitude to the recruitment of the army, for political prisoners, for persons suspected of "any disloyal practice" the privilege did not exist. It was suspended for one year, ten months and twenty-one days by executive assumption and for the rest of the period by the authorization of Congress. It is clear from this comparison that the South followed more closely the English precedent than did the North.<sup>1</sup>

In his speech on "Conciliation with America" March 22, 1775 Burke said: "In Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world those who are free

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<sup>1</sup> For a comparison of the North and England, see vol. iv. p. 230.

are by far the most proud and jealous of their freedom. . . . These people of the Southern colonies are much more strongly and with a higher and more stubborn spirit attached to liberty than those to the northward.”<sup>1</sup> Political life at the South during the war strengthens the argument of Burke by furnishing an additional illustration to that which he employed in his speech; but there was still another reason for the jealousy of their liberties which prevailed among the citizens of the Confederacy. They firmly believed in the doctrine of States’ rights; they held that the central government possessed no powers except those specifically granted and whenever there seemed to be a conflict of authority they gave the benefit of the doubt to the State or to the individual. By a parity of reasoning they were sure to construe the habeas corpus clause as reserving to Congress alone the right of suspending the writ, this construction being more favourable to the State and the private citizen than the other which assumed that the right lay with the executive.

The provocation for the use of arbitrary power was, all things considered, about equal in the Confederacy and the Union. In the Union the “disloyal” secret societies were larger and more dangerous, and the public criticism of the administration more copious and bitter. There was, too, the organized political party which made a focus for the opposition and developed Vallandigham, who had no counterpart at the South. But these considerations are balanced by the circumstance that in the South was the seat of war which was never but for brief periods moved north of Mason and Dixon’s line and the Ohio River. “Civil administration is everywhere relaxed,” wrote Judge Campbell as early as October, 1862, “and has lost much of its energy, and our entire Confederacy is like a city in a state of siege, cut

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<sup>1</sup> See vol. i. p. 35.

off from all intercourse with foreign nations and invaded by superior force at every assailable point.”<sup>1</sup> In a previous discussion I justified Lincoln’s use of arbitrary power in Maryland, Kentucky and Missouri while condemning it in the Northern States where the courts were open and where the law might have had sway.<sup>2</sup> Where armies stand in opposition “disloyalty” may give the enemy aid and comfort so substantial as to decide an impending battle; far from the front it is apt to spend itself in bluster, threats and secret midnight oaths. In the Confederacy there was practically no important place east of the Mississippi River which was not at one time or another invaded or threatened by the invader. The courts, it is true, were open in the South but owing to the disorganized state of society, the interruption of trade and the passage of stay laws by the States they tried few commercial cases but confined themselves to criminal jurisdiction and to decisions sustaining the acts of Congress; or on the other hand to issuing writs of habeas corpus in favour of those who desired to escape military service. Jones who had been disposed to criticise severely the stretches of executive authority was inclined towards the end of 1863 to think that martial law was necessary in Richmond and everywhere else in the Confederacy.<sup>3</sup>

The press was essentially free at the North, entirely so at the South, where no journals were suppressed as some had been in the Union.<sup>4</sup> As the Southern papers had little news-gathering enterprise and borrowed a large part of their news from the journals of the North they did not offend the Confederate generals as the Union generals were offended by the publication of estimates

<sup>1</sup> Oct. 27, 1862, O. R., vol. xvi. part ii. p. 980.

<sup>2</sup> See vol. iii. p. 554; vol. iv. p. 229.

<sup>3</sup> Diary, vol. ii. p. 95; see Freemantle’s statement of public sentiment, p. 219.

<sup>4</sup> See vol. iv. pp. 253, 468; Freemantle, pp. 201, 220.

of the strength of armies or shrewd guesses of projected movements. Sometimes the Richmond journals on a request of General Lee or of the Secretary of War refrained from publishing intelligence that might benefit the enemy but no compulsion was employed. The right of public meeting was fully exercised in both sections but the gatherings for free discussion were much more common at the North.

Southerners believed that the Federal government had degenerated into a military despotism. In a private letter from Richmond, September 1, 1862 Alexander H. Stephens wrote, "The North to-day presents the spectacle of a free people having gone to war to make free-men of slaves while all they have as yet attained is to make slaves of themselves."<sup>1</sup> "Here," he declared in a public speech at Milledgeville, March 16, 1864, "notwithstanding our dangers and perils, the military has always been kept subordinate to the civil authorities. Here all the landmarks of English liberty have been preserved and maintained while at the North scarcely a vestige of them is left. There instead of courts of justice with open doors the country is dotted all over with prisons and bastiles."<sup>2</sup> At the same time the general belief at the North was that the Confederate government was a tyranny which crushed all opposition.<sup>3</sup>

The bases for both these beliefs are apparent. Theoretically liberty seemed surer at the South than at the North but practically the reverse was true. Few men in the Union or Confederacy had actual need of the privilege of the writ of habeas corpus; but all able-bodied men at the South who were not too old were

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<sup>1</sup> Johnston and Browne, p. 420.

<sup>2</sup> Cleveland, p. 781. Many similar statements could be given. From a number of them I have selected Stephens's, for the reason that he steadily opposed arbitrary measures in the Confederacy.

<sup>3</sup> This is well stated by Grant, Personal Memoirs, vol. i. p. 444; vol. ii. p. 502; see Lincoln's opinion, vol. iv. p. 329.

touched by the universal exaction of military service and all who had property were affected by the impressment of it at an arbitrary price fixed by the government. The Federal government may be called a dictatorship: Congress and the people surrendered certain of their powers and rights to a trusted man. The Confederacy was a grand socialized state in which the government did everything. It levied directly on the produce of the land and fixed prices; it managed the railroads, operated manufacturing establishments, owned merchant vessels and carried on a foreign commerce.<sup>1</sup> It did all this by common consent and the public desired it to absorb even more activities. Frequent requests to extend the province of the general government of the States and of the municipalities may be read in the newspapers, in the public and private letters of the time. The operations seemed too large for individual initiative and the sovereign power of the State came to be invoked.

Lincoln was a man of much greater ability and higher character than Davis yet Davis was a worthy foeman. He had trials similar to those of his Northern compeer. As Lincoln had to contend with Governor Seymour so had Davis with Governors Brown and Vance. But Sey-

<sup>1</sup> Seddon said in his report of April 28, 1864: "The whole male population capable of arms from seventeen to fifty, are either marshalled to the field or organized in reserves, ready to be summoned. One-third of the currency of the Confederacy has been annulled, and taxation of unprecedented amount has been exacted from all values. One-tenth of productions in kind has been claimed without pay, and besides the residue and all property has been subjected to seizure and conversion for public use at moderate rates of just compensation. The railroads, the great means of internal trade and communication, are made primarily subservient to the necessities of Government. Even the great writ of personal liberty is suspended in cases requisite to preclude evasion of military service, or to repress uprisings of disaffection or disloyalty. In short, by their representatives, the people, not reluctantly but eagerly and fearful rather of shortcoming than excess, have through regular constitutional action, commanded for their country and its cause the labor, property and lives of all." — O. R., ser. iv. vol. iii. p. 342. "Linton Stephens believed that the next step after the Impressment act would be the organization of all labor into a military system under government control." — Life of Toombs, Stovall, p. 274.

mour was more considerate of his President than were the two Southern governors of theirs. Brown was an atrabilious man whom it was difficult to content and Vance was too prone to see his own side of a question to the utter exclusion of the other. For more than two years the dispute between them and Davis went on, at times threatening to become a quarrel. Many pages of series iv. of the Official Records are devoted to these contentions in which the prolixity of the letters is as remarkable as their querulous tone. In the early part of the correspondence one of Brown's letters covers thirteen and one-half printed pages<sup>1</sup> and towards the end of it another was written over twenty-five.<sup>2</sup> Brown and Vance had what Sir Walter Scott called the "itch for disputation."<sup>3</sup> Some of their complaints have been referred to: there were yet others; and the whole correspondence strikingly suggests that the governors trumped up differences with their President. Often they invoked the States' rights doctrine turning against Davis the weapon he had himself wielded when Mississippi was in the Union. Davis lacked the tact and magnanimity of Lincoln and failed in the conduct of this correspondence. Lincoln did not fail in his controversy with Seymour. The Southern President was a born controversialist and while he felt keenly the danger of a conflict with one of the States he could not do otherwise than accept the challenge of Vance and Brown and do his best to put them in the wrong. Hence those long letters of his and Seddon's which are remarkable essays in controversy to have been written by men who had upon them the burden of a State.

The Confederate like the Union President was dependent on the co-operation of the governors of the States and with the exceptions of Brown and Vance he had

<sup>1</sup> O. R., ser. iv. vol. i. p. 1156–1169.

<sup>2</sup> Jones's Diary, vol. ii. p. 341. This is not printed.

<sup>3</sup> Life of Scott, Hutton, p. 62.

in the main their efficient support. Nevertheless men of the capacity and zeal of Morton and Andrew did not come to the front and obtain like positions at the South.

Davis received neither sympathy nor support from the Vice-President, who early in 1863 began to think "that our President is aiming at the obtainment of power inconsistent with public liberty."<sup>1</sup> Stephens's tendency to captious criticism increased with the misfortunes of the Confederacy and in April, 1864 he unbosomed himself to Herschel V. Johnson. Assuring his friend that he had no antipathy to Davis, that he was not hostile to the administration and was not engaged in organizing an opposition party he gave frankly his opinions of the Confederate President which were "more akin to suspicion and jealousy than of animosity or hate. While I do not," he continued, "and never have regarded him as a great man or statesman on a large scale, or a man of any marked genius, yet I have regarded him as a man of good intentions, weak and vacillating, timid, petulant, peevish, obstinate but not firm. Am now beginning to doubt his good intentions."<sup>2</sup> Late in 1864 the President and Vice-President had a bitter controversy. Stephens had intimated in a public letter that Davis preferred the election of Lincoln to McClellan which prompted Davis to ask an explanation. Followed a long complaining letter from Stephens and an indignant rejoinder from Davis.<sup>3</sup> Their official relations however were not dangerously strained as Stephens afterwards accepted the appointment of a member of the commission that took part in the Hampton Roads conference.<sup>4</sup>

Stephens's arguments against the arbitrary use of power and his plea for liberty in confidential talk with members of Congress and in private letters do him

<sup>1</sup> Johnston and Browne, p. 441.

<sup>2</sup> O. R., ser. iv. vol. iii. p. 279.

<sup>3</sup> Nov. 21, Dec. 13, 1864, Jan. 6, 1865, *ibid.*, pp. 840, 934, 1000.

<sup>4</sup> See Johnston and Browne, p. 484.

honour: it is obvious that the liberties of the great charter should never be lost sight of; but when he wrote a public letter taking issue virtually with his President for the establishment of martial law, made a speech attacking the policy of the government and assisted in the draft of the Georgia resolutions declaring the act suspending the habeas corpus unconstitutional, he overstepped the bounds of official decorum.<sup>1</sup>

Davis had differences with some of the senators, the most conspicuous being with William L. Yancey of Alabama. Yancey was a consistent and ardent advocate of States' rights. He disapproved of the Conscription Act although he gave it his vote; he opposed impressment, objected to the confirmation of Judge Campbell as Assistant Secretary of War, combated other measures of the administration and protested against the usurpation of power by the Confederate government. But the widest breach between the two came from a question of "the offices." Yancey united with his brother senator in a courteous letter to their President asserting that Alabama had not a fair proportion of brigadier-generals and suggesting the promotion of certain men; to this they received a curt reply. More serious was the difference about the Montgomery post-office. Yancey's man was not appointed and the senator gave vent to his displeasure in a letter to Davis who replied in a tone of sarcasm and bitterness. "I decline," he said, "to yield to any dictation from senators on the subject of nominations."<sup>2</sup> splendid words these from a president in a time of peace but in that time of stress ill-considered.

On February 28, 1864, Jones wrote that "Congress and the President parted at the adjournment in bad temper;" nevertheless Congress had passed all the

<sup>1</sup> Johnston and Browne, pp. 417, 418, 419, 420, 421, 441, 453, 455, 473, 475, 478, 483; O. R., ser. iv. vol. iii. p. 279; Jones's Diary, vol. i. p. 163; *ante*.

<sup>2</sup> Life of Yancey, Du Bose, p. 667 *et seq.*; also letters in the Appendix.

exigent measures that the President had requested, not out of regard for him, they explained, but for the sake of the country.<sup>1</sup> At the next session the record in the diary was that Davis had a majority in both Houses, who passed bills according to his dictation ; indeed they were generally written in the departments, Judge Campbell's facile pen being much employed for this purpose.<sup>2</sup> The Confederate Congress at the last session which they held were at considerable variance with the President.<sup>3</sup>

The Congress would undoubtedly have received more attention from historical writers had there been a record of their proceedings like the *Globe* but there is nothing of the kind. The journal exists only in manuscript and even that was written up after the close of the war from the loose memoranda, which had been preserved.<sup>4</sup> The Statutes at Large are a fund of excellent historical material ; some of the laws are exceedingly well drawn, a circumstance which tends to confirm Jones's impression that many of them were drafted by Campbell. Carefully studied in their chronological succession they cannot fail to convey the idea that there was much political capacity in the Congress. The important sessions were secret but the proceedings leaked out and some accounts of them were at times printed in the newspapers ; other relations may be found in books of biography and recollections published since the end of the war. Personal altercations which had been common in the United States Congress when the South and North sat together were by no means absent from the Congress of the Confederacy. During a heated discussion with Yancey in the Senate Benjamin H. Hill, a senator from Georgia and an ardent defender of the administration demanded an apology for words deemed

<sup>1</sup> Jones's Diary, vol. ii. p. 161.

<sup>2</sup> Ibid., p. 215 ; also vol. i. p. 255, vol. ii. pp. 138, 379.

<sup>3</sup> O. R., ser. iv. vol. iii. pp. 1130, 1144, 1148.

<sup>4</sup> See vol. iii. p. 322, note 5.

personally offensive. This Yancey refused and as he was in the act of taking his seat Hill threw a heavy glass ink-stand with a metallic top at him striking him just below the eye and causing a profuse flow of blood, following it up with a heavy tumbler that missed its aim. A fight on the floor between the two was prevented only by the intervention of a number of senators. A duel did not ensue.<sup>1</sup>

It will always be an interesting question whether the affairs of the Confederacy other than the military exploits, were ably conducted. In the lower branches of administration they certainly were not. Nor did Memminger the Secretary of the Treasury display sufficient capacity to cope with the difficulties which environed him. The post-office was badly managed and it boots little to inquire whether this was due to untoward circumstances or to the inefficiency of the Postmaster-General. The State and Navy Departments seem to have availed themselves of their opportunities.<sup>2</sup> Benjamin's work was not confined to foreign affairs, for he was Davis's intimate friend and confidential adviser; but he was suspected of corruption and, through his cotton speculations, was believed to have carried to his credit in England a handsome sum of money.<sup>3</sup> One part of this story is untrue for after Benjamin landed in England he was for some time nearly penniless;<sup>4</sup> and if

<sup>1</sup> Life of Yancey, Du Bose, pp. 711, 739. The Richmond newspapers ignored this fracas.

<sup>2</sup> See Bulloch's remarks on the conduct of the great administrative departments, vol. ii. p. 227.

<sup>3</sup> Jones's Diary, vol. i. p. 180, vol. ii. pp. 339, 388, 400, 416; Life of Yancey, Du Bose, p. 637; The War of the Rebellion, H. S. Foote, pp. 353, 357; also a current tradition in the South.

<sup>4</sup> Benjamin wrote to James A. Bayard, Oct. 20, 1865: "I was very poor when I landed here and had barely enough to support my family for a few months. I have been lucky enough to receive however, a hundred bales of cotton that have escaped Yankee vigilance, and the price here is so high that it has given me nearly twenty thousand dollars, besides which I have made already about ten thousand dollars by means of information furnished by a

he made illicit gains he had spent them in the Confederacy; indeed he was one of the men who had lived well throughout the war.

Davis naturally gave his attention to the War Department, of which the Secretary was said to be merely his chief clerk. If the frequently superfluous controversial letters of the Confederate President and Secretary of War be excepted, a study of the papers of Davis, Seddon and Judge Campbell will give one a high idea of their executive talents; indeed any government might be proud of the ability shown in these documents. A certain class of facts if considered alone can make us wonder how it was possible to subjugate the Confederates. It could not have been accomplished without great political capacity at the head of the Northern government and a sturdy support of Lincoln by the Northern people.

Davis suffered constantly from ill health which was so persistent and so noised abroad that men were always conjecturing how the government would be carried on in the event of his death. A confidential friend asked Stephens what course he should pursue and the Vice-President went so far as to outline a policy.<sup>1</sup> In December, 1864 it was thought that Davis was suffer-

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kind friend in relation to the affairs of a financial institution in which I invested my little fortune and which has already increased in market value fifty per cent. So you see I am not quite a beggar." MS. furnished me through the kindness of Mr. Samuel D. Warren. Writing to Mr. A. V. Dicey on this subject I received the following reply Feb. 10, 1902: "Benjamin's career in England as a lawyer excited great and just admiration and to the best of my belief commanded universal respect. Even when you allow for the help he may have got at the commencement of his career here from Southern sympathizers, his success at the English Bar was an extraordinary and most creditable feat. I know it was reported that there was some idea of placing him on the Bench. . . . I never heard anything whatever said against his professional character or any hint of the sort of story which you refer to [that mentioned in the text] and I think that this goes some way though not a great way towards showing that the story was not generally known here."

<sup>1</sup> Johnston and Browne, p. 447.

ing from a disease of the brain and would surely die.<sup>1</sup> His form was spare, his face emaciated and he looked older than his years. The cares of the Confederacy weighed heavily upon him. But he had a sweet domestic life and had the devotion of a woman of brains and character. Those who like similitudes will recall that Lincoln and Davis each lost a beloved son during the war—"Willie" at the age of twelve from disease; "Joseph" a little romping boy died as the result of a fall from a portico to the brick pavement below.<sup>2</sup>

But if Davis had won he would have been a hard master to the vanquished. "Does any man imagine," he asked in October, 1864, "that we can conquer the Yankees by retreating before them or do you not all know that the only way to make spaniels civil is to whip them?"<sup>3</sup> The moral height of Lincoln's second inaugural was beyond his reach. Perhaps one of the reasons for the success of the North is given in the words of Shakespeare's "Henry V." "When levity and cruelty play for a kingdom the gentler gamester is the soonest winner."<sup>4</sup>

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<sup>1</sup> Jones's Diary, vol. ii. p. 355.

<sup>2</sup> Life of Lincoln, Miss Tarbell, vol. iii. p. 89; Life of J. Davis, by Mrs. Davis, vol. ii. p. 496; Diary of a Southern Refugee, p. 261.

<sup>3</sup> O. R., ser. iv. vol. iii. p. 1003.

<sup>4</sup> Act iii, scene 6.

## CHAPTER XXIX

I HAVE reserved for a separate chapter the consideration of the treatment of the prisoners of war and some cognate topics. No subject is so difficult of discussion between Southern and Northern men as that suggested by the word "Andersonville." Military strategy and tactics in all of the battles are discussed in a calm spirit; the merits and faults of Confederate and Union generals are impartially weighed; political and social questions are taken up as if they were a century rather than little more than a generation old; even the emancipation of the negro is examined with candour by Southern writers and the devastation of territory though often still arousing indignation can be talked or written about without loss of temper. For arriving at the truth about the treatment of the prisoners of war the materials are ample and the time has come when this subject should be considered with an even mind.<sup>1</sup> The publication of series ii. of the Official Records brings to light new evidence and arranges the old in proper juxtaposition. Though the United States government is a party to the case, the accomplished editors of the War Department

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<sup>1</sup> I do not mean to imply that the subject has not been impartially treated. Certainly I cannot hope to do better than Professor Rufus B. Richardson has done in his article on Andersonville in the *New Englander* for November, 1880. I possess, however, the advantage over him of the convenient arrangement of the important material to which he had access and of the new material which is brought to light in series ii. of the Official Records. There may be other impartial disquisitions that deserve the high praise to which Professor Richardson's paper is entitled, but I do not happen to know them. The second-hand material which I have read, except Professor Richardson's, has been entirely polemical.

have printed the letters and documents acquired largely through their industrious research, wholly with the view to ascertain the truth no matter which side it should favour. Acting thus in the true historic spirit they have recognized the right of South as well as North to a share in the literary property of the United States; and the historical student who emulates their industry and impartiality will be able to present an accurate relation of the treatment of the prisoners of war. The material is enormous and a year were none too much for an exact and comprehensive study of it. The desire to complete the task I laid out for myself in the first page of this work, the endeavour to compass what Carlyle terms "the indispensablest beauty in knowing how to get done,"<sup>1</sup> have prevented me from giving more than a part of that time to the subject and I shall therefore state with diffidence the conclusions at which I have arrived.

In this mass of material the man with a preconceived notion can find facts to his liking. If he desire to prove that the Union prisoners at the South were badly treated and that the Confederate prisoners at the North were dealt with in "a noble, magnanimous manner"<sup>2</sup> he will find evidence to support his proposition; he will be able to adduce Southern testimony sustaining both parts of his thesis. If on the other hand he desire to show the reverse, that the cruelty was at the North and the kindness at the South he can bring forward Northern testimony in support of his view. A shrewd advocacy of either of those preconceived notions may be all the more insidious when supported by evidence from the enemy fairly presented; the apparent proof may then be made stronger by garbled quotations from the same source; and to clinch the argument an overpowering

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<sup>1</sup> *Essay on Sir Walter Scott.*

<sup>2</sup> Report of a commission of inquiry appointed by the U. S. Sanitary Commission, p. 96.

mass of testimony may be adduced from the side whose cause he has espoused. Contemporary statements of those who suffered may be found in profusion and systematic presentations of one argument or the other may be read in papers of high Confederate or Union officials and committees of Congress especially empowered for the investigation of the subject. In no part of the history of the Civil War is a wholesome scepticism more desirable and nowhere is more applicable a fundamental tenet of historical criticism that all the right is never on one side and all the wrong on the other.

Prisoners began to be taken in 1861; and in 1862 great numbers were captured by both armies. Had the war been one between two nations the procedure would have been simple. Exchanges would at once have been made. But here the question was complicated by the North desiring to avoid recognizing in any way the Confederate government while the Confederate agents endeavoured to entrap the Northern representatives into some such recognition. At first the Confederacy held the greater number of prisoners but after the capture of Fort Donelson that balance fell to the side of the North and as one of the points made was that the excess remaining over the actual exchanges should be paroled, each side changed its attitude conformably to its immediate interest. A good deal of fencing, a natural concomitant of the situation, went on which finally resulted July 22, 1862 in the arrangement of a cartel between Generals Dix and D. H. Hill under which with only brief interruptions exchanges went on until December 28, 1862 when Secretary Stanton ordered the discontinuance of the exchange of commissioned officers.<sup>1</sup> This action was due to a proclamation of Jefferson Davis issued five days previously declaring Benjamin F. Butler "a felon deserving of capital punishment" for having

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<sup>1</sup> O. R., ser. ii. vol. v. p. 128.

executed William B. Mumford in New Orleans<sup>1</sup> and ordering that no commissioned officer be released on parole until Butler had been punished for "his crimes." Davis further declared that all commissioned officers serving under Butler were "robbers and criminals" and if captured should be reserved for execution. Taking up the negro question which now became a part of the controversy owing to Lincoln's proclamation of emancipation of September 22, 1862 and the attempts to enlist negro soldiers he decreed that "all negro slaves captured in arms" and their white officers should be delivered over to the respective States of the Confederacy to be dealt with according to their laws:<sup>2</sup> they could thus be proceeded against under the rigorous statutes relating to negro insurrections.

Special exchanges however went on for a while under an extra-cartel method but these were stopped May 25, 1863 by an order of General Halleck, this order being probably an answer to the joint resolution of the Confederate Congress defining the status of negroes in arms and their white officers who might be captured.<sup>3</sup> The declaration by the Confederate commissioner that a large portion of the prisoners captured and paroled by General Grant at Vicksburg were to be regarded as having been exchanged and that the Confederate government did not recognize the paroles at Port Hudson interjected another difficulty. Both points were contested by the Union authorities and a long and voluminous correspondence full of mutual recrimination followed together with many *ex parte* statements and reports.

Thus in 1863 a large number of prisoners were held

<sup>1</sup> Mumford hauled down the U. S. flag which had been raised upon the U. S. Mint by Farragut, "dragged it through the streets and tore it in shreds." He was executed June 7, 1862. Butler to Stanton, June 10, O. R., ser. ii, vol. iii, p. 678.

<sup>2</sup> *Ibid.*, vol. v. p. 795.

<sup>3</sup> *Ibid.*, p. 696; vol. vi. pp. 136, 647. For the resolution, see my vol. iv. p. 334.

by each side. The prisons at the North were overcrowded.<sup>1</sup> The arrangements for getting rid of the faeces were defective, the supply of water was often short, bathing facilities hardly existed, the ventilation left much to be desired and the drainage was bad. The policing was imperfect, vermin abounded. Filth is the word most frequently met with in the descriptions of the prisons. Some of the commandants were inefficient, others were intemperate. In the winter the prisoners suffered from the cold and on the still-remembered bitter day of January 1, 1864 when it is said the mercury at Johnson's Island, Ohio went down to 25° below zero and at Camp Morton, Indianapolis to 20° the suffering was acute. But they had an abundance of food and everywhere the shelter of barracks, except at Point Lookout where tents were provided.<sup>2</sup> Clothing and blankets were furnished them and stoves were put up in the barracks. The orders were that they should be supplied with the same rations as soldiers in the army but as it was not expected that they would consume so much, the value of articles that could be withheld conveniently constituted a "prison fund," out of which eatables conducive to the health of the captives and not included in the army ration were to be purchased. Prisoners who had money were permitted to buy food and clothing and sympathizing relatives and friends at the North sent boxes of these articles which under certain restrictions as to clothing were delivered to the men for whom they were intended.

In 1863 the Union prisoners were for the most part confined in tobacco houses in Richmond, Libby being

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<sup>1</sup> Confederate prisoners were held at Camp Douglas, Chicago, Camp Butler, Springfield, Ill., Camp Morton, Indianapolis, Camp Chase, Columbus, Johnson's Island, Ohio (set apart for officers); also at Elmira, N.Y., Rock Island and Alton, Ill., and St. Louis, Point Lookout, Md., and Fort Delaware, Del.

<sup>2</sup> At other places the tents were temporary makeshifts.

chiefly devoted to officers, and on Belle Isle an island in the James River. Filth, vermin and generally unsanitary conditions prevailed; but the Richmond prisons were well supplied with water and at Libby there were bath-rooms, although there was a lack of soap. The ventilation was good. At Belle Isle there was no shelter but tents and not nearly enough tents to go round. The intention of the Confederate government was to furnish the prisoners the ration of their army but it sometimes failed and they as well as soldiers and citizens were a prey to the pangs of hunger. Those who had money were allowed to buy food in the market. It was impossible to supply bedding and clothing in any needed quantity and from the lack of these and sufficient fuel the winter's cold was hard to endure. For a while boxes of food, clothing and blankets were with the consent of the Confederate authorities sent from the North to the prisoners by the Federal government, by the Sanitary and Christian Commissions and by private parties. The clothing and blankets reached those for whom they were designed but not all of the food, much of which was eaten by hungry Confederates, although there was no authorized embezzlement.

Mutterings in the North against the Confederacy for the treatment of their prisoners of war began in 1862 developing the next year into systematic complaints. It was reported that the exchanged or paroled Union prisoners who arrived at Annapolis were generally "in a state of extreme destitution, with little or no clothing and that covered with filth and vermin. They are often physically emaciated and suffering from hunger and disease."<sup>1</sup> The dissemination of such reports was met by the Southerners with counter complaints. "You take away the health and strength of Confederate soldiers," wrote Robert Ould, the Confederate agent of exchange

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<sup>1</sup> March 3, 1863, O. R., ser. ii. vol. v. p. 328; see also pp. 396, 478, 487.

to the Union officer holding a like position. "You yourself see the living wrecks which come from Fort Delaware—men who went into that cruel keep hale and robust, men inured to almost every form of hardship and proof against everything except the regimen of that horrible prison."<sup>1</sup> "Can nothing be done," Ould again asks, "to stop the fearful mortality at Fort Delaware? Is it intended to fill our land with mourning by such means of subjugation?"<sup>2</sup> The other side is shown in the report of an assistant surgeon of the United States army touching 189 sick and wounded prisoners who were received at City Point from Belle Isle and destined for Annapolis. "Every case," he wrote, "wore upon it the visage of hunger, the expression of despair and exhibited the ravages of some preying disease within or the wreck of a once athletic frame. . . . Their hair was dishevelled, their beards long and matted with dirt, their skin blackened and caked with the most loathsome filth, and their bodies and clothing covered with vermin. Their frames were in the most cases all that was left of them. A majority had scarcely vitality sufficient to enable them to stand." Eight died on the passage to Annapolis and twenty-seven more soon after their arrival.<sup>3</sup> Stanton in his report to the President of December 5, 1863 said that the Confederate prisoners of war had been "treated with the utmost humanity and tenderness consistent with security," while the Union soldiers held captive at the South "were deprived of shelter, clothing and food and some have perished from exposure and famine." In his opinion this "savage barbarity" had been practised to force the Union government to the plan of exchange desired by the Confederate.<sup>4</sup> On the other hand Jefferson Davis said in his message to his Congress December 7, 1863 that the "odious treatment

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<sup>1</sup> July 13, 1863, O. R., ser. ii. vol. vi. p. 113.

<sup>2</sup> Ibid., p. 181.

<sup>3</sup> Nov. 2, 1862, ibid., pp. 474, 475.

<sup>4</sup> Ibid., p. 648.

of our officers and soldiers" had constrained the United States authorities, in order to shield themselves, to make misstatements "such as that the prisoners held by us are deprived of food." They are given, he asserted, the same rations "in quantity and quality as those served out to our own gallant soldiers in the field which has been found sufficient to support them in their arduous campaigns." Indeed, he continued, we have been indulgent in allowing them to be supplied by their friends at home with comforts superior to those enjoyed by their captors while "the most revolting inhumanity has characterized the conduct of the United States towards prisoners held by them."<sup>1</sup> At this stage of the controversy the crowning argument so far as concerned the effect on Northern public sentiment was presented by the Committee on the Conduct of the War who were requested by Stanton in May, 1864 to "examine with their own eyes" some prisoners at Annapolis who had been returned from Belle Isle. With the usual partisan report fortified by the usual ghastly details they sent out photographs of eight of the men, seven of whom in a naked or partly naked condition were taken sitting up, while the eighth apparently from extreme weakness was reclining in bed. The emaciation of the bodies and woebegone expression of the faces were horrible.<sup>2</sup>

What I have cited illustrates the spirit in which this question was approached from each side. The statements of those in authority must be regarded as partisan documents issued for the purpose of swaying public sentiment in the hottest campaign ever fought in America. This view does not imply that Davis and Stanton were insincere, for the native vindictiveness of these men and their intense devotion to their respective causes impelled them to believe any evil of their enemies and discredit any good. The feeling ran so high that

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<sup>1</sup> O. R., ser. II, vol. vi. p. 679.

<sup>2</sup> Report No. 67, 38th Cong. 1st Sess.

under officials were unconsciously affected and read into their observations and reports their own preconceived notions. The surgeons in their diagnoses were hardly governed by sectional animosity but when they speculated on causes, they ascribed to bad treatment ills that may well have had another origin. There was no intention on either side to maltreat the prisoners. A mass of men had to be cared for unexpectedly. Arrangements were made in a hurry and, as neither side expected a long duration of the war, they were only makeshifts devised with considerable regard for economy in expenditure. There was bad management at the North and still worse at the South owing to a less efficient organization with meagre resources. And it plainly appears from the mass of the evidence that the prisoner at the North was the better off of the two as he had always food and shelter. All testimony is concurrent that there is no torture equal in intensity to the fierce longing for food and this was often the lot of the captive Union soldier. The condition of many was aggravated after December 11, 1863 when the Confederates for what they deemed valid reasons refused to receive provisions and clothing sent from the North for the Federal prisoners.<sup>1</sup>

Had the war ended with the year 1863, the treatment of prisoners North and South could have been considered dispassionately with a substantial agreement in the conclusions of candid inquirers. To the refusal to exchange prisoners and to threatened retaliation by the North and to Andersonville at the South are due for the most part the bitterness which has been infused into this controversy.

The Confederate government appreciated that it was impossible to feed their prisoners if retained in Richmond and on Belle Isle and from time to time they sent some of them to places farther south. In November,

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<sup>1</sup> O. R., ser. ii. vol. vi. p. 686.

1863 an order was issued for the establishment of a prison in Georgia, the granary of the eastern part of the Confederacy, and for this purpose a tract of land was selected near the town of Andersonville. A stockade 15 feet high enclosing  $16\frac{1}{2}$  acres was built and this in June, 1864 was enlarged to  $26\frac{1}{2}$  acres but  $3\frac{1}{4}$  acres near the centre was too marshy to be used. A small stream ran through the enclosure which it was thought would furnish water sufficient for drinking and for bathing. The trees within the stockade were cut down and no shelter was provided for the expected inmates, who began to arrive in February, 1864 before the rude prison was completed according to the design and before an adequate supply of bacon for their use had been received. Prisoners continued to come until on the 5th of May there were about 12,000 which number went on increasing until in August it exceeded 32,000: their condition was one of extreme wretchedness. Those who came first erected rude shelters from the débris of the stockade; later arrivals burrowed in the ground or protected themselves with any blankets or pieces of cloth of which they had not been deprived according to the practice of robbing men who were taken prisoners, which prevailed on both sides. Through an unfortunate location of the baking and cooking houses on the creek above the stockade the water became polluted before it reached the prisoners, so that to obtain pure water they must dig wells. After a severe storm a spring broke out within the enclosure and this became one of the main reliances for drinking water. The sinks were constructed over the lower part of the stream but the current was not swift enough to carry away the ordure, and when the stream was swollen by rain and overflowed the faecal matter was deposited over a wide area producing a horrible stench. This was the famous prison of Andersonville.

Worse suffering still came from the pangs of hunger.

It was the intention of the authorities to issue the same ration to the prisoners as to the soldiers in the field, viz. one-third of a pound of pork, one and a quarter pounds of corn meal and occasionally beans, rice and molasses. The meal was issued unbolted and when baked made a coarse and unwholesome bread. At times provisions ran short. On July 25, 1864 General John H. Winder, the commandant telegraphed to Adjutant-General Cooper: "There are 29,400 prisoners, 2650 troops, 500 negroes and other laborers and not a ration at the post." He further expressed the opinion that there should be at least ten days' rations kept on hand.<sup>1</sup> This despatch was submitted to the commissary-general who reported that Lee's and Hood's armies were largely dependent upon Georgia for their supplies; that he had no money either to buy or impress provisions; and that when Lee's army was but a day's ration ahead it was unreasonable to think of providing a ten days' store for the prisoners.<sup>2</sup> Sometimes the food was stolen by the Confederates or by the detailed prisoners who had charge of its distribution. Even when there was sufficient food at the post cooking utensils and facilities for distribution were lacking. Wirz the "Captain commanding prison" reported that at least 8000 men in the stockade must be deprived of their "rations of rice, beans, vinegar and molasses" because of the lack of buckets.<sup>3</sup> To supplement the cooking houses the raw food was turned over to some of the prisoners who were ill provided with wood as well as utensils for its proper preparation. When the quantity was sufficient its quality afforded but harsh nutriment to the Northern soldier accustomed to the generous rations of his own government. It is entirely comprehensible that the Southern man should have marched long and fought well on his accustomed fare of "hog and hominy" from

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<sup>1</sup> O. R., ser. ii. vol. vii. p. 499.

<sup>2</sup> Ibid.

<sup>3</sup> June 6, 1864, *ibid.*, p. 207.

which the hungry and sick prisoner at Andersonville sometimes turned with disgust used as he had been to fresh meat, wheaten bread and coffee.

Thus insufficiently nourished, exposed by day to the fierce southern sun, by night to dews, drenched with torrential rains, languishing amidst filth and stench, breathing polluted air, homesick depressed desperate, these men were an easy prey to the diseases of diarrhoea, dysentery, scurvy and gangrene. Owing to their "depraved blood," "a pin scratch, a prick of a splinter, an abrasion or even a mosquito bite" would cause gangrenous ulcers; and these also were caused by vaccination, which was ordered when smallpox made its appearance in the prison.<sup>1</sup> The hospital was originally located within the stockade but a brief trial showed this plan to be a fatal mistake and it was moved outside and placed by a stream under a grove of trees. But it was inadequate to accommodate all who were sick and hundreds of men who were unable to find room in the hospital died in the stockade. The physicians for the most part seem to have been honest and humane but even if they had been skilful they could have accomplished little in the absence of a proper diet, bedding and medicines for the sick. Andersonville was in the words of the Confederate surgeon Joseph Jones a "gigantic mass of human misery."<sup>2</sup> Nearly one-third of the captives died within seven months<sup>3</sup> and the human wrecks who finally reached home caused an impression which must be reckoned with in any account of Northern public sentiment after the end of the war.

To form an estimate of the horrors of Andersonville it is not necessary to go beyond Southern contempor-

<sup>1</sup> Report of Assistant Surgeon Thornburgh (Confederate), O. R., ser. ii. vol. viii. p. 626. <sup>2</sup> Ibid., p. 628.

<sup>3</sup> Jones wrote Oct. 19, 1864: "Since the establishment of this prison on the 24th of February, 1864, over 10,000 Federal prisoners have died; that is near one-third of the entire number have perished in less than seven months." — *Ibid.*, vol. vii. p. 1012.

neous testimony. As early as April 17, 1864 Adjutant-General Cooper had from thence the report of a "frightful mortality."<sup>1</sup> On May 5 Howell Cobb wrote to him that the prison was "already too much crowded"; that if the number of prisoners were increased without enlargement of the prison there would be "a terrific increase of sickness and deaths during the summer months."<sup>2</sup> The prison was enlarged and might then with some regard to sanitary conditions have accommodated 10,000 but the mighty duel going on between Lee and Grant was constantly giving the Confederacy many new captives. These were sent to Andersonville; where on August 12, 1864 the number of prisoners reached 32,911.<sup>3</sup> They must have shelter or "they will die off by hundreds" is the word which had reached Cooper by the end of May.<sup>4</sup> Captain Wirz pleaded that the meal for the prisoners be bolted; the bread which it makes, he wrote, consists "fully of one-sixth of husk, is almost unfit for use" increasing as it does "dysentery and other bowel complaints."<sup>5</sup> Again on August 1 Captain Wirz wrote: "The prison although a large addition has been made is too crowded; almost daily large numbers of prisoners arrive; all internal improvements . . . will come to a dead halt for the want of room. As long as 30,000 men are confined in any one enclosure the proper policing is altogether impossible. A long confinement has depressed the spirits of thousands and they are utterly indifferent."<sup>6</sup>

The most important document is the report of Colonel D. T. Chandler made on August 5, 1864 to the authorities in Richmond subsequent to an inspection of the prison. After a graphic description of the place and a statement of the disabilities under which the prisoners lay he said: "There are and can be no regulations established for the 'police consideration for the

<sup>1</sup> O. R., ser. ii. vol. vii. p. 63.

<sup>2</sup> Ibid., p. 120.

<sup>3</sup> Ibid., p. 593.

<sup>4</sup> Ibid., p. 168.

<sup>5</sup> June 7, 1864, ibid., p. 207.

<sup>6</sup> Ibid., p. 522.

health, comfort and sanitary condition of those within the enclosure' and none are practicable under existing circumstances. . . . Numbers have been found murdered by their comrades and, in their desperate efforts to provide for their own safety a court organized among themselves, by authority of General Winder, granted on their own application, has tried a large number of their fellow-prisoners and sentenced six to be hung which sentence was duly executed by themselves within the stockade with the sanction of the post-commander. . . . The crowd at [sick-call] is so great that only the strongest can get access to the doctors, the weaker ones being unable to force their way through the press. . . . Many — twenty yesterday — are carted out daily who have died from unknown causes and whom the medical officers have never seen. The dead are hauled out daily by the wagon load and buried without coffins. . . . The sanitary condition of the prisoners is as wretched as can be. . . . The arrangements for cooking and baking have been wholly inadequate. Raw rations have to be issued to a very large proportion" who lack proper cooking utensils and do not have a sufficient supply of fuel. ". . . The rate of deaths has steadily increased from 37.4 per 1000 during the month of March last to 62.7 per 1000 in July." Colonel Chilton the official in Richmond to whom this report was immediately made indorsed on it, "The condition of the prison at Andersonville is a reproach to us as a nation." He took it to Judge Campbell who writing on the back of it, "These reports show a condition of things at Andersonville which calls very loudly for the interposition of the Department in order that a change may be made," carried it to the Secretary of War, but according to some Southern testimony it was never seen by Davis.<sup>1</sup>

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<sup>1</sup> For Chandler's report and the indorsements, see O. R., ser. ii. vol. vii. pp. 546-551. Two reports of the chief surgeon were submitted with it, pp. 524, 541. Winder, Wirz and some other officers at Andersonville

In consequence of the overcrowding of Andersonville and in response to Winder's recommendation, the Secretary of War by the order of Davis had already authorized the establishment of a new prison to which a number of these captives should be removed.<sup>1</sup> A camp five miles from Millen, Georgia was selected and a stockade prison was planned, but as the material, tools and labor had to be impressed and funds were short the work went on slowly and the new prison was not ready until about October 1. In the meantime the capture of Atlanta (September 1, 1864) by Sherman had compelled the abandonment of Andersonville. All the prisoners who were not too sick to be moved were sent to Savannah and Charleston. These cities could not care for so many and those at Charleston were sent to Florence (S.C.) and those at Savannah to Millen as soon as it was ready. Millen was a large prison and never crowded, and although food was scarce the arrangements were in other respects fairly good. It was occupied for only a brief period, Sherman's march to the sea compelling its abandonment, and the sending of the prisoners back to Andersonville where owing to altered conditions the misery of the summer was never repeated. Florence (S.C.) and Salisbury (N.C.) (whither a large number of captives were sent in November) reproduced the worst phases of Andersonville but the commandants and other officials endeavoured to alleviate the sufferings of the men, failing for the most part from lack of means.

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attempted to traverse Chandler's statements, *ibid.*, p. 755 *et seq.* Chilton was of the opinion that Chandler's report was entirely truthful. No doubt can now be entertained of the complete accuracy of that which I have cited in the text and the substantial accuracy of the whole report. Chandler seems to have been a gentleman of high character. For the authority for the other statements, see South. His. Soc. Papers, vol. i. p. 198 *et seq.*

<sup>1</sup> Winder, July 25, Seddon, Aug. 5, O. R., ser. ii. vol. vii. pp. 493, 546. The date of the indorsements (p. 550) indicate that Seddon had not seen Chandler's report when he issued this authorization, but Chandler afterwards expressed the opinion that his report resulted in much benefit to the prisoners, *ibid.*, vol. viii. p. 527.

The importance of Andersonville lies in the question, How far may the Confederate government be held responsible for its horrors? An important consideration in coming to a conclusion in this matter is the position they took in regard to the exchange of prisoners. Whatever may be the right or wrong of the previous controversy the fact stands out clearly that in 1864 the Confederate authorities were eager to make exchanges, their interest being on the side of humanity. In 1863 the status of negro prisoners and white officers of negro regiments had been one of the obstacles, Stanton having asserted that these men must be protected by the exaction for them of equal rights. The negro question had a moral side of importance and furnished an excellent argument for the Washington government if it were desired to avoid exchanges but practically it was of comparatively little moment. There were very few negro captives and with rare exceptions they were not abused. The Union had an excess of prisoners and as the sequel proved the negroes were well protected by Lincoln's threat of retaliation.<sup>1</sup> In fact owing to the pressure of public sentiment at the North during 1863, which was fostered by the reports of ill treatment of Federal prisoners, and the known readiness of the Confederate government to continue exchanges under the cartel, the United States War Department made at the end of the year a proposition which left the negroes out of the case. Halleck offered to Lee a man to man exchange for the captives in Richmond.<sup>2</sup> Lee perhaps technically correct but really short-sighted refused this offer insisting upon the cartel<sup>3</sup> which required the Federal government to release on parole their excess of prisoners.

As the campaign of 1864 was about to open and the great need of soldiers at the South was painfully apparent the Confederate government receded from one of

<sup>1</sup> Proclamation of July 30, 1863.

<sup>2</sup> Dec. 7, 1863, O. R., ser. ii. vol. vi. p. 659.

<sup>3</sup> Ibid., p. 691.

their positions and expressed their willingness to treat free negroes and white officers of coloured troops as prisoners of war although they still contended that former slaves should be returned to their masters. But now Grant was in command and although others saw as clearly as he that the South must be subjugated, he it was whose iron nerve was equal to carrying out remorselessly the policy of subjugation. On April 17, 1864 he ordered that not another Confederate prisoner of war should be paroled or exchanged until there were released a sufficient number of Union officers and men to equal the paroles at Vicksburg and Port Hudson and unless furthermore the Confederate authorities would agree to make no distinction whatever between white and coloured prisoners.<sup>1</sup> These were subterfuges. In the previous November he had ignored the alleged breach of faith concerning the Vicksburg paroles;<sup>2</sup> moreover as long as the North had the excess of prisoners she held a gage for the former slaves who had volunteered to fight for the freedom of their race; and according to a letter of General Stoneman and two other officers from their prison in Charleston the condition of these negro soldiers who were again made slaves was "happiness compared with the cruel existence" of the prisoners at Andersonville.<sup>3</sup>

On August 10, 1864 the Confederate government proposed to exchange officer for officer and man for man, accompanying their communication with a statement of the mortality at Andersonville.<sup>4</sup> This offer with the great pressure on Washington to effect the release of the Northern soldiers (whose sufferings seemed unnecessary for the protection of the former slaves) forced Grant to declare the real reason of his policy. "It is hard on our men held in Southern prisons not to ex-

<sup>1</sup> O. R., ser. ii. vol. vii. p. 62.

<sup>2</sup> Ibid., vol. vi. p. 511.

<sup>3</sup> Aug. 14, 1864, *ibid.*, vol. vii. p. 617.

<sup>4</sup> *Ibid.*, pp. 578, 705.

change them," he wrote from City Point, "but it is humanity to those left in the ranks to fight our battles. Every man we hold, when released on parole or otherwise, becomes an active soldier against us at once either directly or indirectly. If we commence a system of exchange which liberates all prisoners taken, we will have to fight on until the whole South is exterminated. If we hold those caught they amount to no more than dead men. At this particular time to release all rebel prisoners North would insure Sherman's defeat and would compromise our safety here."<sup>1</sup>

Despite the many influences brought to bear upon Lincoln, some of which were political he stood by his general and Grant had his way. On October 1 Lee proposed to Grant a man to man exchange for the prisoners of their armies. Will you deliver the coloured troops "the same as white soldiers?" Grant asked in reply. "Negroes belonging to our citizens are not considered subjects of exchange" returned Lee. I therefore "decline making the exchanges you ask" was the rejoinder of Grant.<sup>2</sup> Less than four months later (January 24, 1865) the Confederate government reiterated their offer of an exchange of man for man and this was then accepted by Grant who undoubtedly foresaw the imminent collapse of the Confederacy.<sup>3</sup>

While the South is entitled to credit for her concessions in order to effect exchanges, the local management and the Richmond government may be justly charged with negligence in not providing shelter for the prisoners at Andersonville. The prison was in a wooded region and the captives should have been set to work under parole to build for themselves log huts or clapboard dwellings as they were afterwards at Florence.<sup>4</sup> A

<sup>1</sup> Aug. 18, 1864, O. R., ser. ii. vol. vii. p. 607; see also vol. viii. p. 811.

<sup>2</sup> Ibid., vol. vii. pp. 906, 909, 914. <sup>3</sup> Ibid., vol. viii. pp. 122, 170, 182.

<sup>4</sup> The erection of barracks by prisoners when practicable, was also ordered for Elmira, New York, ibid., vol. vii. p. 918.

Southern defence against this charge is that the men at Andersonville, who were all private soldiers and non-commissioned officers, were of such bad character that they could not be trusted to keep their pledge; indeed some who went outside on parole broke it and escaped. That many of the prisoners were outcasts is true. A large number of them were of the bounty-jumping class who, prevented from desertion by the vigorous discipline of Grant, allowed themselves to be taken captive in the May and June battles about Richmond: the accessions during the summer of 1864 came largely from Grant's army.<sup>1</sup> The thefts and murders committed by these miscreants resulted, as we have seen, in the banding together of the better sort and the trial and execution of six culprits. But it would have been easy for the prison commandants to discriminate; the prisoners from Belle Isle and Sherman's army were in the main worthy of confidence and a wise and humane management would have taken account of this and bettered the condition of the men without incurring the risk of their escape.

When the Confederate government perceived that they could neither feed their prisoners nor properly care for them and when their effort to secure exchanges had failed they should have paroled the captive soldiers under the most solemn oath and sent them North. This is not merely a utopian idea conceived after the event. Vice-President Stephens urged such a plan on Howell Cobb who as major-general of the Georgia Reserves had a supervision of the Andersonville prisoners.<sup>2</sup> Cobb did not adopt this view in its entirety but suggested to Seddon that all the men who were opposed to the election of Lincoln should be paroled and sent home.<sup>3</sup> A "poor

<sup>1</sup> For the character of these men, see my vol. iv. p. 431; *New York Times*, Jan. 6, 1865, cited by R. B. Richardson, *New Englander*, Nov. 1880, p. 756.

<sup>2</sup> *The War between the States*, vol. ii. p. 516.

<sup>3</sup> Sept. 9, 1864, O. R., ser. ii. vol. vii. p. 796.

man" from Georgia wrote thus to Jefferson Davis: "Please read the sixth chapter of Second Kings. Follow the example of the King of Israel. Send the prisoners at Andersonville home on their parole. Send them home before the cold proves more destructive of their lives than the heat has been in the open and unshaded pen your officers provided for them. It will prove the greatest victory of the war and do our cause more good than any three victories our noble troops have gained."<sup>1</sup> An indorsement on this letter would appear to indicate that the advice therein had been considered by Davis and his private secretary, Burton N. Harrison. The "poor man" made a mistake in his chapter meaning instead the twenty-eighth of Second Chronicles.<sup>2</sup> This is noted by Harrison as he wrote "Respectfully referred by direction of the President to the Secretary of War."<sup>3</sup> A prominent citizen of South Carolina advised the paroling of the prisoners as a matter of policy and mercy<sup>4</sup> and even General John H. Winder urged at two different times that the men held captive at Florence be paroled and sent home; and in this recommendation he was supported by the Governor of South Carolina and by General Chestnut.<sup>5</sup>

That Jefferson Davis may have failed to see Colonel Chandler's report by no means implies that he was ignorant of the horrors of Andersonville. Cooper and

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<sup>1</sup> Sept. 7, 1864, O. R., ser. ii. vol. vii. p. 783.

<sup>2</sup> "The children of Israel carried away captive of their brethren [of Judah] two hundred thousand. . . . But a prophet of the Lord said 'Deliver the captives again . . . for the fierce wrath of the Lord is upon you.' . . . And the men rose up and took the captives and . . . clothed all that were naked . . . and shod them and gave them to eat and to drink and anointed them and carried all the feeble of them upon asses and brought them to Jericho to their brethren."

<sup>3</sup> The Indorsement is dated Sept. 14.

<sup>4</sup> Sept. 21, 1864, O. R., ser. ii. vol. vii. p. 855. The letter containing this advice was forwarded to Seddon.

<sup>5</sup> The second time, in a despatch to Cooper, Jan. 20, 1865, O. R., ser. ii. vol. viii. p. 96.

Seddon received many accounts of them and considering the relations between the three it is incomprehensible that he should not have shared their knowledge; moreover the one letter of the "poor man" from Georgia is likely enough but one of many such. In truth the suffering at Andersonville in the summer of 1864 was notorious in the Confederacy. To parole the prisoners required an exceptional man — a man of great magnanimity and rare foresight and these qualities Davis did not possess. Undoubtedly his view was in accord with Seddon's indorsement on the letter of the prominent citizen of South Carolina. "It presents a great embarrassment," he wrote, "but I see no remedy which is not worse than the evil. For the present we must hope the enemy will be constrained to relinquish their inhuman policy of refusing exchange. We are not responsible for the miserable sufferings of the captives and cannot afford to release them to replenish Yankee armies and supply Yankee laborers."<sup>1</sup>

The general opinion of officials and citizens at the North was that the suffering and deaths at Andersonville and other prisons was due to a deliberate policy of the Confederate government for the decimation of the enemy's ranks, and that the words attributed to Captain Wirz, "I'm killing more Yankees than Lee at the front," were only an indiscreet avowal of Jefferson Davis's wish and intent.<sup>2</sup> That there is no positive

<sup>1</sup> O. R., ser. ii. vol. vii. p. 856.

<sup>2</sup> I will cite two representative statements. A commission of inquiry appointed by the United States Sanitary Commission consisting of three physicians, one judge, one clergyman and one private citizen said in their report of September, 1864: "The conclusion is unavoidable, therefore, that 'these privations and sufferings' have been 'designedly inflicted by the military and other authority of the rebel government' and cannot have been 'due to causes which such authorities could not control.'" — p. 95.

A Committee of the House of Representatives on the Treatment of Prisoners of War by Rebel Authorities said in the famous Report No. 45 presented in 1869: "The opinion of the committee carefully and deliberately formed [is] that the neglect and refusal of the rebel authorities to provide

evidence in support of this opinion the search I have made enables me to affirm with confidence;<sup>1</sup> and this conclusion from present investigations receives a strong attestation from a significant fact in the past. During 1865 and afterwards officials connected with the executive department of the government, army officers, senators and representatives, were eager to fasten upon Davis some direct responsibility for the suffering of the Union prisoners of war. With all the records at their command and with all facilities for eliciting testimony from living witnesses they failed to bring to light any evidence on which he might be tried by a military commission or any acts or words which in the freer judgment of history might leave a stain on his character. The irresistible conclusion is that the whole case against the Confederacy lies in bad management at the prisons, some negligence at Richmond, and the non-adoption of a policy of mercy which few rulers would have seriously considered.

It is worthy of notice that Lincoln bore no part in this controversy. Nowhere did he charge the Confederates with cruelty. In no message to Congress, in no public or private letter did he make a point of the alleged barbarous treatment of Northern soldiers held captive at the South; and when Stanton proposed to him that Confederate officers in Federal hands should

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sufficient and proper rations was the result of a premeditated system and scheme of the confederate authorities to reduce our ranks by starvation, and that they were not forced to these deprivations from accident or necessity." — p. 216.

<sup>1</sup> Descanting on the excellent physical condition of the Confederate and the bodily wrecks of the Union prisoners, some Northern writers by taking a sentence from its context and perhaps citing it as if it were a later date have made the words of Ould the Confederate Agent of Exchange apparently support their argument. Speaking of an arrangement for exchange he wrote to Winder, "We get rid of a set of miserable wretches and receive some of the best material I ever saw." The context shows clearly that political prisoners and their mental and moral qualities were referred to. Moreover the date of the letter is March 17, 1863, O. R., ser. ii. vol. v. p. 853.

be given the same rations and treatment as Union soldiers or officers received in the Confederacy.<sup>1</sup> Lincoln, so far as the record shows, remained silent. That no such order was issued implies that he did not approve of Stanton's suggestion. Lincoln was great in his omissions as well as in his positive acts.

In retaliation for the alleged inhuman treatment of Union prisoners the United States War Department on April 20, 1864 reduced by about twenty per cent. the ration to the Confederate prisoners which had hitherto been the same as the army's ration; and on June 1 all but the sick were deprived of coffee, tea and sugar. The difference between the reduced ration and that furnished the soldiers in the field should constitute the "savings" to form the "prison fund" out of which anti-scorbutics might be purchased if the surgeon thought they were required. In August, 1864 all supplies by gift or purchase were cut off.<sup>2</sup> It is universally agreed that the reduced ration was sufficient to preserve the health and strength of the men but on the other hand the evidence is irrefragable that at some Northern prisons during the year 1864 the food was insufficient and that suffering from hunger ensued. Moreover there was more sickness, especially scurvy, than there ought to have been with a proper application of the prison fund. For this discrepancy the Official Records do not account. Some embezzlement is shown but not enough nor on a sufficiently large scale to explain why prisoners went hungry when the government intended to furnish them an adequate supply of food. It may be conjectured that there was bad management connected with the distribution of the rations and also that since retaliation had been announced as the policy of the government in high quarters some keepers of prisons inspired by vindictive

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<sup>1</sup> May 5, 1864, O. R., ser. ii. vol. vii. p. 114.

<sup>2</sup> For a while in the autumn of 1863 such supplies of food had been forbidden but in the beginning of 1864 they were again permitted.

feelings took it upon themselves to make the threatened reprisal so far real that the Confederates should suffer from hunger.

In the brutal treatment of prisoners by punishment and shooting the two sides may be said to have offended in about the same degree. Instances abound in the writings of the period. Every prison had its "dead line" or what corresponded to it. This at Andersonville was a line at a certain distance from the stockade beyond which no prisoner could pass without being shot. In other prisons the contrivance was similar and the plan is said to have originated in one of the best-managed places at the North. Certain circumstances must be borne in mind. The prisoners were always trying to escape; the guard at the South was deficient in numbers and discipline; and in both sections naturally the high-spirited, brave and generous officers were not made commandants of prisons. Such work was apt to be assigned to the cowardly or inefficient; and excessive drinking too was often responsible for harsh treatment of prisoners. The testimony on both sides is that prisoners were always well treated at the front but the difference was marked when they came into the clutches of the stay-at-home soldiers. As the most brutal of all jailers of the Civil War John H. Winder and Wirz have come down to our generation. The Confederate Colonel Chandler in his famous reports of August 5, 1864 charged Winder with gross cruelty but commended Wirz for "untiring energy and devotion." These last words connote probably a too favourable verdict. After the war Wirz was tried and condemned to death by a military commission convened at Washington and was hanged on November 10, 1865. Winder would have met a like fate had he not died before the end of the war.

The controversy has led to the employment of incorrect statistics. Jefferson Davis, Alexander H. Stephens and other Southern writers have taken the number of

deaths of Confederate and Union prisoners from Stanton's report to the House of Representatives of July 19, 1866 and, joining thereto an alleged statement of Surgeon-General Barnes of which however there is no official record, have arrived at the result that the mortality at the North was over three per cent. greater than at the South.<sup>1</sup> If there be any evidence for this conclusion, which is doubtful, it is entitled to no credit whatever.

It may be affirmed on the highest authority that while the records of Union prisons are nearly complete those of the Confederate are meagre: of twelve Southern prisons the War Department has not been able to secure the "death registers" and of five others only partial records were obtainable; hence "the total number of deaths in Confederate prisons . . . may never be definitely known." General F. C. Ainsworth, Chief of the Record and Pension Office, to whom I am indebted for this information adds: "According to the best information now obtainable, from both Union and Confederate records, it appears that 211,411 Union soldiers were captured during the civil war, of which number 16,668 were paroled on the field and 30,218 died while in captivity; and that 462,634 Confederate soldiers were captured during that war, of which number 247,769 were paroled on the field and 25,976 died while in cap-

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<sup>1</sup> Confederate Government, vol. ii. p. 607; War between the States, vol. ii. p. 508. Stanton's report was based on that of the commissary-general of prisoners (O. R., ser. ii. vol. viii. pp. 946, 948), and gave the following statistics:—

Deaths of Confederate prisoners of war	.	.	.	.	.	26,436
Deaths of Union prisoners of war	.	.	.	.	.	22,578
Number of Confederate prisoners of war	.	.	.	.	.	220,000
Number of Union prisoners of war about	.	.	.	.	.	126,950

Neither Davis nor Stephens gives these numbers of prisoners but cite Surgeon-General Barnes (U.S.) as authority for the statement that there were 220,000 Confederate and 270,000 Union prisoners of war. Davis indicates no authority but Stephens refers to an editorial in the *National Intelligencer* as his source for Barnes's figures. I have not been able to unearth any such statement of Barnes, and General F. C. Ainsworth advises me under date of June 29, 1903 that no official record of it has been found. At all events the statement is incorrect.

tivity.”<sup>1</sup> Thus the mortality was a little over 12 per cent. at the North and 15.5 at the South. Taking into account the better hospitals, more skilful physicians, the ample supply of medicines and the abundance of food at the North and the exceptionally high death-rate at Andersonville, Florence and Salisbury one might have expected a greater difference, which would probably be the case were all the deaths in the Confederacy known. Still it should be remembered that as the Southern summer bore hardly on the Union prisoners so did the Northern winter increase the mortality of the Confederates as the number of deaths from pneumonia bear witness.

All things considered the statistics show no reason why the North should reproach the South. If we add to one side of the account the refusal to exchange the prisoners and the greater resources, and to the other the distress of the Confederacy the balance struck will not be far from even. Certain it is that no deliberate intention existed either in Richmond or Washington to inflict suffering on captives more than inevitably accompanied their confinement. Rather than to charge either section with inhumanity it were truer to lay the burden on war, recalling in sympathy with their import the words of Sophocles : —

“ From wars unnumbered evils flow  
The unexhausted source of every human woe.”<sup>2</sup>

<sup>1</sup> June 29, 1903.

<sup>2</sup> Ajax, act iv. scene viii.

In my treatment of this subject I have been much assisted by a paper prepared for me by D. M. Matteson of Cambridge who under my direction made an exhaustive research in series ii. of the Official Records; in the House Report No. 45, on the Treatment of Prisoners of War, 40th Cong. 3d Sess.; in “Trial of Henry Wirz”; and to some extent among other authorities. For the assistance of students I will give the references which were made for me. To O. R., ser. ii. vol. i. pp. 70, 77, 88, 93, 101, 103, 168, 174; vol. ii. p. 390; vol. iii. pp. 5, 8, 9, 32, 47, 55, 121, 122, 126, 130, 131, 136, 142, 153, 157, 160, 184, 191, 196, 199, 211, 213, 216, 217, 221, 223, 226, 229, 242, 243, 246, 247, 248, 251, 253, 254, 260, 269, 270, 275, 287, 300, 310, 317, 324, 339, 348, 353, 355, 360, 364, 374, 375, 376, 379, 400, 402, 410, 417, 419, 422, 458, 460, 497, 507, 509, 526, 553, 562, 565, 586, 610, 650, 654, 662, 663, 666, 670, 674, 691,

Much might be written on the unexecuted threats on both sides; these are especially numerous in the South

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706, 712, 716, 746, 749, 751, 788, 789, 812, 821, 824, 855, 886, 899; vol. iv. pp. 30, 36, 37, 45, 106, 133, 152, 169, 174, 198, 253, 255, 260, 266, 277, 278, 332, 353, 508, 545, 553, 561, 593, 600, 620, 621, 627, 677, 691, 738, 760, 777, 779, 787, 799, 822, 829, 830, 836, 857, 900, 909, 913, 916, 945; vol. v. pp. 7, 10, 48, 71, 75, 113, 127, 132, 140, 150, 186, 193, 213, 216, 217, 237, 239, 251, 257, 267, 281, 286, 298, 305, 320, 322, 328, 343, 361, 379, 386, 388, 391, 397, 399, 418, 431, 435, 442, 443, 449, 455, 462, 477, 508, 511, 537, 556, 587, 607, 611, 659, 674, 690, 691, 696, 698, 701, 746, 754, 768, 770, 773, 789, 796, 806, 819, 832, 838, 853, 855, 867, 919, 925, 930, 940, 953, 959, 960; vol. vi. pp. 4, 11, 12, 17, 21, 25, 28, 35, 45, 60, 78, 80, 82, 96, 113, 117, 118, 120, 123, 129, 135, 152, 153, 181, 190, 192, 209, 218, 238, 240, 241, 250, 262, 264, 267, 275, 277, 281, 282, 301, 315, 328, 330, 331, 339, 348, 353, 354, 359, 363, 364, 365, 370, 372, 374, 379, 387, 391, 392, 395, 401, 403, 408, 420, 422, 424, 426, 431, 437, 438, 439, 441, 444, 448, 450, 459, 465, 471, 473, 475, 479, 482, 484, 485, 501, 504, 510, 516, 527, 528, 537, 552, 557, 558, 566, 569, 587, 602, 609, 625, 634, 638, 641, 642, 647, 651, 659, 663, 686, 693, 704, 711, 717, 740, 746, 748, 754, 755, 768, 769, 777, 809, 826, 843, 848, 849, 871, 878, 887, 888, 893, 900, 908, 913, 920, 921, 924, 934, 937, 938, 951, 954, 962, 968, 972, 977, 978, 985, 996, 1014, 1022, 1039, 1048, 1079, 1087, 1111, 1121, 1124; vol. vii. pp. 15, 29, 43, 46, 51, 53, 60, 62, 63, 69, 72, 76, 78, 80, 81, 83, 84, 89, 93, 104, 108, 111, 113, 117, 118, 122, 130, 151, 172, 183, 184, 185, 198, 203, 204, 205, 207, 208, 216, 222, 224, 366, 381, 388, 392, 397, 399, 400, 408, 413, 421, 438, 448, 459, 460, 465, 480, 484, 493, 495, 499, 505, 508, 512, 515, 517, 521, 533, 535, 541, 546, 557, 565, 567, 571, 573, 578, 583, 587, 604, 611, 612, 617, 673, 682, 687, 698, 705, 708, 714, 773, 782, 783, 787, 790, 791, 793, 796, 830, 837, 856, 863, 870, 872, 874, 878, 879, 906, 915, 923, 954, 955, 956, 967, 972, 976, 986, 987, 990, 996, 997, 1004, 1012, 1020, 1075, 1078, 1082, 1092, 1098, 1116, 1129, 1130, 1137, 1141, 1143, 1150, 1159, 1162, 1206, 1217, 1219, 1221, 1229, 1246, 1248, 1258; vol. viii. pp. 19, 33, 62, 63, 64, 65, 67, 96, 97, 122, 137, 147, 156, 161, 167, 170, 171, 175, 187, 193, 197, 211, 215, 227, 236, 270, 294, 330, 339, 355, 358, 363, 364, 376, 389, 393, 456, 529, 534, 537, 581, 585, 592, 650, 659, 665, 667, 704, 722, 730, 748, 754, 771, 811, 946, 952, 957; in House Report No. 45, pp. 24, 25, 30, 33, 35, 42, 44, 45, 47, 51, 56, 58, 70, 71, 72, 77, 81, 82, 83, 86, 88, 115, 161, 166, 169, 171, 172, 185, 195, 205, 206, 208, 210, 212, 217, 218, 228, 249, 250, 252, 341, 343, 774, 788, 792, 795, 797, 798, 803, 804, 807, 808, 810, 822, 824, 825, 827, 830, 831, 837, 852, 856, 857, 864, 866, 881, 899, 902, 927, 933, 945, 951, 954, 957, 964, 965, 982, 985, 991, 994, 1005, 1016, 1021, 1024, 1030, 1032, 1035, 1067, 1090, 1106, 1108, 1109, 1143; "The Trial of Henry Wirz," Ex. Doc., No. 23, 40th Cong. 2d Sess., pp. 24, 30, 38, 40, 45, 50, 53, 57, 63, 83, 88, 94, 103, 104, 111, 133, 141, 144, 176, 206, 209, 240, 248, 249, 254, 269, 270, 271, 273, 276, 298, 326, 330, 333, 334, 335, 363, 371, 376, 380, 386, 406, 408, 436, 458, 463, 464, 471, 473, 474, 480, 486, 487, 489, 492, 511, 644, 646, 651, 659, 666, 671, 672, 674, 751, 773.

My account is based chiefly on series ii. of the Official Records, all the references to which I read carefully. I examined a number of the references to Report No. 45 and a few to "Trial of Henry Wirz." Besides these I read

in regard to negro soldiers and their white officers. There is no evidence that an officer of coloured troops taken captive was executed by authority. Four negroes who were captured in November, 1862 armed with muskets and wearing the Federal uniform may have been put to death with the concurrence of Davis and Seddon on the ground of their being slaves in insurrection.<sup>1</sup> This is the only case of that kind which the Official Records disclose but there is considerable evidence of unauthorized summary executions of negro soldiers and of their officers. It was also reported that two free negro prisoners from Massachusetts had been sold into slavery in Texas,<sup>2</sup> others were compelled to work on the fortifications and a number of slaves were returned to their masters.<sup>3</sup>

The most signal case of maltreatment of coloured troops was at the taking of Fort Pillow, the massacre there causing a thrill of horror at the North. In his address at the Baltimore Sanitary Fair in April, 1864 Lincoln spoke of the "painful rumor true I fear" of the massacre by the Confederates of "some three hundred

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with interest, care and satisfaction Professor Rufus B. Richardson's article in the *New Englander* for Nov. 1880; and I have also read: Report of the Committee on the Conduct of the War, Report No. 67, 38th Cong. 1st Sess.; the article on "The Treatment of Prisoners during the War between the States," vol. i. (1876), South. Hist. Soc. Papers, and the article "Discussion of the Prison Question," *ibid.*, vol. ii.; "Narrative of Privations and Sufferings of United States Officers and Soldiers while Prisoners of War, Report of a Committee of Inquiry appointed by the United States Sanitary Commission" (1864); articles of J. T. King, Horace Carpenter, and John A. Wyeth, vol. xli., *Century Magazine*; reply of W. R. Holloway to Wyeth, and Wyeth's rejoinder, *ibid.*, vol. xlii., and their further discussion, *ibid.*, vol. xlvi. I have likewise consulted Jefferson Davis's Confederate Government, vol. ii.; A. H. Stephens's War between the States, vol. ii.; Andersonville, John McElroy (1879).

<sup>1</sup> O. R., ser. II, vol. iv. pp. 945, 954.

<sup>2</sup> *Ibid.*, vol. v. p. 455.

<sup>3</sup> See *ibid.*, pp. 844, 867; vol. vi. pp. 21, 73, 115, 125, 130, 145, 177, 182, 189, 190, 193, 202, 226, 224, 246, 258, 913, 924, 1022; vol. vii. pp. 93, 155, 204, 459, 468, 539, 673, 703, 967, 987, 990, 1011, 1020, 1206; vol. viii. pp. 19, 171, 197, 393, 425, 659, 703; ser. i. vol. xxiii. p. 866; vol. xxviii. pp. 25, 37, 45; see also Nicolay and Hay, vol. vi. p. 473 *et seq.* On this subject I have derived help from D. M. Matteson.

colored soldiers and white officers"; he said that he was having the affair "thoroughly investigated" and if it should turn out that there had been "the massacre of three hundred there or even the tenth part of three hundred" retribution should surely follow.<sup>1</sup> Of the massacre, there can be no doubt. The simple facts admitted by everybody prove it conclusively. On April 12, 1864 General N. B. Forrest at the head of 1500 men, having won a preliminary fight, demanded under a flag of truce the unconditional surrender of the garrison of Fort Pillow,<sup>2</sup> saying that otherwise he should with his sufficient force take the fort by storm. This demand was refused. The bugle sounded; his men giving the well-known yell made a spirited charge, captured the fort at once and in less than thirty minutes had killed 221 and wounded 130 more out of a garrison of 557. "The river was dyed with the blood of the slaughtered for 200 yards" are the words of Forrest in one of his reports.<sup>3</sup> Of the Confederates 14 were killed and 86 wounded.<sup>4</sup> Make due allowance for the ability and daring of Forrest, the incompetency of the surviving Federal commander and the cutting off of the retreat of the Union troops: even then 39 per cent. of a garrison defending a fort do not get killed and 24 per cent. more wounded in "open warfare," which is the term used by Forrest to describe the action.<sup>5</sup> It seems clear however that there was no official surrender, and that the United States flag was not hauled down by the garrison or the white flag authoritatively displayed. It is true too that some of the garrison thinking no quarter would be given made a desperate resistance and were shot in the act but undoubtedly more were killed after they had surrendered themselves and were asking quarter or even begging for mercy.

<sup>1</sup> Nicolay and Hay, vol. vi. p. 478.

<sup>2</sup> Fort Pillow was on the Mississippi River on the Tennessee side about forty miles above Memphis.

<sup>4</sup> Life of Forrest, Wyeth, p. 361.

<sup>8</sup> O. R., vol. xxxii. part i. p. 610.

<sup>6</sup> O. R., vol. xxxii. part i. p. 691.

The garrison consisted of 295 white and 262 coloured troops. Whites and negroes seem to have been massacred indiscriminately, but the negroes suffered the worse, about 77 per cent. of their number being killed or wounded to about 43 per cent. of the white soldiers. The white men were from Tennessee, "Tories" Forrest called them,<sup>1</sup> and between these and the Tennessee regiments in his command there was the bitterness of neighbourhood feuds and internecine warfare, which accounts for the desperate fighting of some and the massacre of other white troops. The general feeling against negro soldiers in the South explains the killing of the negroes many of whom were panic-stricken, some even in a state of frenzy. The massacre was unauthorized by Forrest or by Chalmers his second in command. In his demand for surrender, knowing that part of the garrison were coloured troops Forrest had said that they would be treated as prisoners of war. The evidence seems good too that after the fort was taken he rode to the scene and stopped the firing of his troops which he did not hesitate later to call a massacre.<sup>2</sup>

The Fort Pillow massacre was investigated by the Union commander of the district of Cairo and by the Committee on the Conduct of the War. With part of their evidence before him Lincoln wrote to each member of his cabinet:<sup>3</sup> "It is now quite certain that a large number of our colored soldiers with their white officers were by the rebel force massacred after they had surrendered at the recent capture of Fort Pillow;" and he asked each one's opinion "as to what course the Government should take in the case." Answers from all in writing were received but the President took no action.<sup>4</sup> No retaliation followed. Due attention to the subject may have been prevented as Nicolay and

<sup>1</sup> O. R., vol. xxxii. part i. p. 610.

<sup>2</sup> Ibid., pp. 590, 596; Wyeth, pp. 383, 386.

<sup>3</sup> May 3, 1864.

<sup>4</sup> Nicolay and Hay, vol. vi. p. 481.

Hay suggest from the hurry of events now beginning with the Wilderness campaign; or it may be that Lincoln dominated by the quality of mercy shrank from inaugurating a policy of retaliation which from the known temper of Forrest and the Richmond government would have been met with reprisals. But it is more probable that when the President looked thoroughly into the evidence he was convinced that the massacre was perpetrated in the heat of conflict and had neither been ordered nor suggested by Forrest. In the correspondence which ensued between him and Washburn, the Union commander at Memphis, Forrest said that he would have "furnished all the facts" connected with the capture of Fort Pillow "had they been applied for properly"; and his superior officer, General S. D. Lee, wrote to Washburn, "No demand for an explanation has ever been made either by yourself or your government."<sup>1</sup> These statements could not be gainsaid.

In connection with the baseless accusation which was referred to in a previous chapter that Jefferson Davis was in some manner an accomplice in the assassination of President Lincoln, a mention of two circumstances will be pertinent. On August 9, 1863 a soldier in camp near Fredericksburg wrote to the Confederate Secretary of War offering his services for the assassination "of those persons — or a part of those at least — who fill high places in the North." Seddon replied that "duty requires all such schemes for disposing of those in high position at Washington to be discouraged by the De-

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<sup>1</sup> June 23, 28, 1864, O. R., vol. xxxii. part i. pp. 591, 600. My authorities are the correspondence reports, affidavits and statements in O. R., vol. xxxii. part i.; Life of Forrest, John A. Wyeth, p. 335 *et seq.*; Nicolay and Hay, vol. vi. p. 478 *et seq.*; Report of Committee on Conduct of the War on the Fort Pillow massacre. Dr. Wyeth's account shows much industry and is full and candid. While I have not accepted entirely his conclusions, his relation has been of great use to me and deserves the careful consideration of all students of the subject.

partment and to be discarded by you. The laws of war and morality as well as Christian principles and sound policy forbid the use of such means of punishing even the atrocities of the enemy."<sup>1</sup> Somewhat earlier Major Walker Taylor, a nephew of Zachary Taylor and a cousin of Davis's first wife, proposed to the Confederate President to abduct Lincoln and bring him to Richmond. Davis declined to entertain the proposal because of the risk of killing the captive in the event of resistance.<sup>2</sup>

While probably the evidence does not exist that an incident happening in March, 1864 had an influence on the attitude of high Confederate officials towards the nefarious operations at the North during the last half of that year (an account of which has been given in Chapter XXVII) a connection between the two may well be imagined. On the body of Colonel Ulric Dahlgren, who was killed in command of a detachment of cavalry in an unsuccessful raid on Richmond, were found papers which seemed to indicate that his design was to release the Federal prisoners on Belle Isle and in Richmond and furnish them with oakum and turpentine so that they might burn "the hateful city" while his own men were employed in killing Jefferson Davis and his cabinet. These papers were printed in the Richmond *Examiner* of March 5, 1864 and being regarded as evidence of a "diabolical purpose" their publication created "a profound sensation" in Richmond. Officials shared the excitement of the public; Seddon and General Bragg thought that some of the men captured with Dahlgren should be executed. Recourse was had to General Lee for advice. He wrote that if "the address and special

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<sup>1</sup> O. R., ser. iv. vol. ii. pp. 703, 730. Jones refers to a similar offer made to Davis, Diary, vol. ii. p. 24.

<sup>2</sup> Letter of J. Davis to Taylor, August 31, 1889; letter of William Preston Johnston, aide-de-camp of Davis, March 14, 1898. Printed in Baltimore *Sun*, May 14, 1903, from the *Confederate Veteran* (Nashville, Tenn.), April, 1903.

orders of Colonel Dahlgren" correctly stated his design, they revealed a "barbarous and inhuman plot"; but the intentions had not been succeeded by acts and it would not be right "to visit upon the captives the guilt of Dahlgren's intentions." According to instructions Lee brought the matter to the notice of General Meade who replied that "neither the United States Government, myself nor General Kilpatrick [the superior cavalry officer of Dahlgren] authorized, sanctioned or approved the burning of the city of Richmond and the killing of Mr. Davis and cabinet." The Dahlgren affair and the contemporaneous mining of Libby prison with the warning that if the prisoners should attempt to escape, the fuse would be lighted may be consigned to the limbo of unexecuted threats.<sup>1</sup> These with other circumstances show that men both at the North and the South were frequently better than their words. More than once each side was seemingly on the brink of retaliatory executions which would have been followed by stern reprisals. From such shedding of blood and its bitter memories we were spared by the caution and humanity of Abraham Lincoln, General Lee and Jefferson Davis.

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<sup>1</sup> My authorities are O. R., vol. xxxiii. p. 178 *et seq.*; ser. ii. vol. viii. p. 344; ser. iv. vol. iii. p. 326; Jones's Diary, vol. ii. p. 166; Century War Book, vol. iv. p. 95.

## CHAPTER XXX

RECONSTRUCTION of the Union was the urgent and difficult business that followed naturally upon the end of the war. For its successful accomplishment the plan must satisfy the sentiment of the great Union party at the North and must be accepted by the South; and to bridge the chasm between the two a wise constructor and moderator was needed. No man was so well fitted for the work as Lincoln would have been had he lived. Understanding as he had done both peoples and possessing in an eminent degree the necessary qualities of charity and firmness, he had a hold on his party which would have enabled him generally to lead whither he would go; and while the abundance of his mercy could not have been commonly emulated by a people who had just finished a bitter civil war he could have led them part way and when they held back resolutely, he would have given up some of his cherished ideas not because they were not right, but because they were inexpedient. Touching the assembling of the old Virginia legislature he had said to Secretary Welles, "I cannot go forward with everybody opposed to me"<sup>1</sup> and that a similar feeling would have swayed him in his future policy cannot be doubted by any one who has carefully considered his acts as President. He would not have quarrelled with Congress; he would not have appealed from Congress to the country. His influence on both would have been enormous; but when he had exerted that influence by his wonderful power of persuasion and had failed either

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<sup>1</sup> *The Galaxy*, April, 1872, p. 524.

fully to convince the people or to bring round leading senators and representatives to his own opinion, he would have sought an agreement in mutual concessions, starting from ground common to them both and showing his confidence in their patriotism and honest intention. Magnanimity to the South would not have excluded tolerance to his own party, nor would self-confidence born of the successful termination of the war have grown into arrogance or a lack of respect for the opinions of those who did not see with his own eyes. We may feel sure therefore that eventually he and his party would have been at one. Lincoln understood the South and knew the negro. The negroes had a sublime faith in their liberator and would have submitted themselves implicitly to his guidance. The Southern people were beginning to have a respect for his character and would have soon recognized that he was their friend. Hardly a doubt can exist that he would have rendered acceptable to them the conditions which the North deemed it necessary to impose. Under Lincoln reconstruction would have been a model of statecraft which would have added to his great fame.

Of all men in public life it is difficult to conceive of one so ill-fitted for this delicate work as was Andrew Johnson. Born in the midst of degrading influences (at Raleigh, N.C., 1808), brought up in the misery of the poor white class, he had no chance for breeding, none for book education, none for that half-conscious betterment which comes from association with cultivated and morally excellent people. It is said that he never went to school for a day. Apprenticed to a tailor at the age of ten, he had only manual labour to perform, but this was lightened by visits to the shop of a gentleman who read to the workers from "The American Speaker" some speeches of British orators and statesmen, which aroused in Johnson the desire to read that book. With this incentive and the aid of jour-

neymen with whom he worked he mastered the art and was able to enjoy by himself the speeches of Pitt and Fox which possessed for him a special attraction. At sixteen he became a journeyman tailor, at eighteen he moved to Greenville in the eastern part of Tennessee and married an excellent woman who read to him by day as he plied the needle and in the evening taught him to write and cipher. Johnson was a born politician and speechmaker and at twenty began his political life having been elected alderman as the workingman's candidate in opposition to the aristocracy of his little town which was based on the ownership of slaves. From this time forward he held office almost constantly as alderman, mayor and member of the legislature until 1843 when he was sent to the national Congress as representative in which capacity he served for ten years. Here his lack of rudimentary education was painfully manifest. The pages of the House were eager to get the autographs of members because of the money they would fetch and this account is given by Stuart Robson the actor who was a page during the Thirtieth and Thirty-first Congresses: "Andrew Johnson was one who was very fond of giving his autograph and it was with some difficulty that he could write it. . . . In signing his name he would put his tongue to one side of his mouth and sway his body with every movement of his pen like an Irishman who is a little in doubt about his ability to make his mark."<sup>1</sup> Yet he was a reader of books and loved to interlard his speeches with poetical quotations and historical and literary references, but his reading was a veneer and he never mastered a book as Lincoln did the Bible and Shakespeare weaving the substance into his mental being. Unlike most of our self-made men, among whom Lincoln is always notable, he did not enter politics by way of the

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<sup>1</sup> Boston *Herald*, Sept. 1, 1889.

law and missed that most valuable discipline for commerce with men and for administration of affairs. He went directly from the tailor's bench to the mayor's chair and the legislative hall, and indeed worked intermittently at his trade until elected to Congress. This was much to Johnson's credit but it was not a suitable training for a President of the United States.

Elected Governor of Tennessee for two terms he was in 1857 sent to the United States Senate being a remarkable if not the sole exception to the custom in the slave States which debarred men who worked at a trade from such high office. He was a States' rights Democrat and generally acted with his party and section but he was looked down upon by the aristocratic Southern senators either on account of his plebeian extraction or because he boasted that he had laboured with his hands. In this he was unlike Lincoln who never alluded to "the humbleness of his origin."<sup>1</sup> When secession came he attracted the attention of the North by the vigour and courage with which he spoke in the Senate for the Union; and his words of March 2, 1861 that if he were President he would have the Southern leaders arrested and tried for treason, and if convicted, executed, received the hearty approval of men disgusted with the mealy-mouthed Buchanan. When Tennessee joined the Southern Confederacy Johnson did not go with his State but remaining in the United States Senate espoused the Union cause. Appointed military governor of Tennessee in March, 1862 he went to Nashville and entered at once upon his duties which he seems to have discharged with boldness and efficiency. From December 18, 1860 when he first declaimed against secession in the Senate Johnson was very popular at the North but at the South he was execrated.

A man of strict integrity, a fluent and ready speaker,

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<sup>1</sup> This is noted by Lowell in his essay on Lincoln (1864).

he was at the same time extremely egotistical, the self-confidence of the self-made man obtruding itself in most of his utterances. He had great physical courage; indeed no man could have taken part in the political life of Tennessee in his time unless he were ready to resent insult and defend himself against personal attack. As military governor his courage was put to the supreme test and apparently it never failed. But at some time during his occupancy of this office he began to drink to excess.<sup>1</sup>

His merits were duly estimated and all these disqualifications might have been known to the National Union Convention of June, 1864, which instead of making a careful inquiry into his character and habits nominated him for the vice-presidency in a moment of sentimental enthusiasm. But there were calmer delegates who deemed it unwise to name for a possible President a Southern Democrat instead of a Northern Republican.<sup>2</sup>

Called to the high office by a calamity so appalling a modest man would have maintained a dignified reserve, taken counsel of others and considered soberly his position. But Johnson had an itch for speechmaking; and different delegations which came to Washington and called on him were eager to hear from the new President and incited him to utterance. Seeming to have a certain jealousy of the memory of Lincoln he made a number of egotistical and commonplace harangues which had undoubtedly a certain vogue in the country at large but which were regretted by leading Republican senators

<sup>1</sup> I have drawn this characterization from Life of Johnson, Savage; do. Bacon, Peterson & Bros.; do. James S. Jones; Speeches, ed. by Moore; Life and Speeches, Foster; article, James Phelan, Appleton's Cyclopædia American Biography; McCulloch, Men and Measures; conversation with Hannibal Hamlin.

<sup>2</sup> For example, Thaddeus Stevens, Life by McCall, p. 244; McClure, Lincoln and Men of War Times, p. 260; Simon Cameron, Life of Hamlin, Hamlin, p. 463.

and representatives as being unworthy of the place and the time. The manner in which he spoke persistently of the crime of the Southern leaders, the due punishment of which was death, tended to inflame Northern sentiment, already bitter enough in the lamenting of Lincoln's assassination. "Treason must be made odious" and "traitors must be punished and impoverished" was the burden of his tirades,<sup>1</sup> and his private talk was more vindictive and indeed it is said almost bloodthirsty. Radical men like Wade and Chandler, themselves in favour of harsh measures, feared that Johnson might be too rigorous and endeavoured to assuage his animosity.<sup>2</sup> In his wrathful mood he affixed his name to the proclamation charging Davis with complicity in the murder of Lincoln<sup>3</sup> which was too solemn an act and one which might be fraught with too serious consequences to be done so hastily. The charge was based on evidence in the bureau of military justice at the head of which was Joseph Holt whose credulity for a man of legal training was astonishing. The proclamation had probably the approval of Stanton and of Attorney-General Speed but neither was in a frame of mind to give a temperate judgment. Had an able and cool-headed lawyer gone over the evidence he would have pronounced it insufficient for the utterance of so formal and so imposing an accusation. The mischief of it was that it added to the number of Northern people who already believed that Davis ought to be hanged and therefore made more

<sup>1</sup> April 21, 1865. What Johnson meant by "impoverished" is apparent from his speech at Nashville June 9, 1864 where he added to the same words as those cited in the text, "their great plantations must be seized and divided into small farms and sold to honest industrious men." These speeches are variously printed in McPherson's History of Reconstruction, by Moore and by Foster, and in Appleton's Annual Cyclopædia, 1865. They were made mainly in April, 1865.

<sup>2</sup> Blaine, Twenty Years of Congress, vol. ii. p. 13; Life of Chandler, Detroit *Post and Tribune*, p. 284; Life of Wade, Riddle, p. 328.

<sup>3</sup> The proclamation is dated May 2, *ante*, p. 157; McPherson, p. 7. In this manner I shall refer to McPherson's History of Reconstruction.

difficult the adoption of a moderate and magnanimous policy towards the South.<sup>1</sup>

It is a curious inquiry whether Johnson's long-seated animosity towards Davis had anything to do with his present readiness to impute to him a crime. This animosity according to Mrs. Davis arose from a debate in the House in 1846 when Johnson interpreting some remarks of Davis as invidious to tailors with a possible reference to himself resented the innuendo and speaking with scorn of our "illegitimate, swaggering, bastard, scrub aristocracy" entered on an encomium of tailors and mechanics in general.<sup>2</sup> Davis felt bitterly towards Johnson and, when captured by General Wilson and informed of the proclamation charging him with complicity in the murder of Lincoln declared that "there was one man in the United States who knew that proclamation to be false" and that was Andrew Johnson, "for he at least knew that I preferred Lincoln to himself."<sup>3</sup>

While Johnson was talking in public at random, he was in private giving the radicals false hopes of negro suffrage which turned up afterwards to plague him. Chief Justice Chase and Sumner were earnest for the immediate enfranchisement of the freedmen and they had in the country a following of intelligence and high character<sup>4</sup> although numerically small. We have had a glimpse of Sumner's attitude;<sup>5</sup> and Chase two or three days before the assassination had written to the President two carefully prepared letters urging universal suffrage for the negroes at the South.<sup>6</sup> These two zealous men had failed to convert Lincoln and they now endeavoured to persuade Johnson to their views. During the first month of his

<sup>1</sup> On public sentiment at this time, see remarks of *The Nation*, June 22, 1866, p. 790.

<sup>2</sup> Memoir of J. Davis, Mrs. Davis, vol. i. p. 243; *Globe*, May 29, 1846, p. 885.

<sup>3</sup> Confederate Government, vol. ii. p. 703; see also pp. 683, 684.

<sup>4</sup> See vol. iv. p. 483.

<sup>5</sup> Chap. xxiv. p. 54.

<sup>6</sup> April 11, 12, O. R., vol. xlvi. part iii. p. 427.

administration they had many interviews with him pressing the matter which they had at heart and were always listened to with attention and even sympathy. Sumner's "long conversation with him" on the evening of April 30 was especially important. "My theme," the senator wrote to Bright, "is justice to the colored race. He [Johnson] accepted this idea completely and indeed went so far as to say 'that there is no difference between us.' He deprecates haste; is unwilling that States should be precipitated back; thinks that there must be a period of probation but that meanwhile all loyal people, without distinction of color, must be treated as citizens and must take part in any proceedings for reorganization."<sup>1</sup> To a caucus of radical Republicans held in Washington May 12 Sumner and Wade declared that President Johnson was in favour of negro suffrage.<sup>2</sup>

Between the first and second months of his administration Johnson made a political somersault; the suddenness of his change from harshness to leniency toward those who had fought against the Union and the first steps he took in reconstruction show how desirable silence had been until he had determined on a line of procedure. He had retained his predecessor's cabinet and his consideration of the reconstruction of North Carolina with them was in official continuity of Lincoln's last cabinet meet-

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<sup>1</sup> Pierce's Sumner, vol. iv. p. 242; see also pp. 241-249. For Chase's impression, see his letter to General Schofield, O. R., vol. xlvi. part iii. p. 427. May 4 Sumner wrote to Charles F. Dunbar then editor of the Boston *Daily Advertiser*: "As I spoke with you in Washington very freely on the opinion of the late President and the probable controversy on colored suffrage I think I ought to let you know how the matter stands now. I have had several conversations with President Johnson on this important question. Suffice it to say that after I had explained to him fully my opinions, he said, 'there is no difference between us.' I regard this point as practically determined. The question remains how this shall be brought about, by what process, modes and machinery. Here I have my own idea clearly; but there can be no controversy with the President on it. I incline to think that this great question will settle itself." For this manuscript letter I am indebted to the late Professor Dunbar.

<sup>2</sup> Julian's Political Recollections, p. 263.

ing. The question of negro suffrage came up May 9, when Stanton submitted a revision of the draft of a plan for a provisional government which had been discussed April 14 by Lincoln and his advisers. This provided that all "loyal citizens" might participate in the election of delegates to the State convention to be called for the adoption of a new State constitution. What is meant by "loyal citizens" was asked by Welles? "Negroes as well as white men" was the reply; and thereupon at Stanton's suggestion there was an expression of opinion by members of the cabinet. Stanton, Dennison (Postmaster-General), and Speed (Attorney-General) declared for negro suffrage to be imposed on the State by Federal authority. McCulloch (Secretary of the Treasury), Welles and Usher (Secretary of the Interior) maintained that this was beyond the power of the Federal government, Welles arguing that before the issue of the Proclamation of Amnesty and Reconstruction of December 8, 1863 President Lincoln and his cabinet had agreed that "the question of suffrage belonged to the States." Johnson expressed no opinion but took the matter into thoughtful and careful consideration.<sup>1</sup>

When what he deemed justice to the negro race was in question Sumner was not troubled by constitutional and legal scruples but Chase furnished the President the law, advising him to have the enrolment in North Carolina made under "the old constitution" which recognized all freemen as voters instead of under the constitution in force at the time of secession which excluded the free negroes.<sup>2</sup> Chase got the impression that Johnson inclined to this mode of procedure which however was opposed by

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<sup>1</sup> Seward was not present. Welles, *The Galaxy*, April, 1872, p. 530 *ante et seq.*; Stanton's testimony, Impeachment Investigation, p. 401. See my vol. iv, p. 484.

<sup>2</sup> I think this statement is justified by a reasonable construction of the letters printed, O. R., vol. xlvi. part iii. pp. 427, 462; Life of Chase, Schuckers, p. 520. "The old constitution" was apparently in force until 1835.

two generals then in North Carolina and their opinions were available to the President. Sherman wrote to Chase, "To give all loyal negroes the same political status as white voters will revive the war;"<sup>1</sup> and Schofield wrote to Grant affirming "the absolute unfitness of the negroes as a class" for the suffrage. "They can neither read nor write," he continued; "they have no knowledge whatever of law or government; they do not even know the meaning of the freedom that has been given them, and are much astonished when informed that it does not mean that they are to live in idleness and be fed by the Government."<sup>2</sup> From Washington Sherman wrote on May 28 to Schofield: "I have reason to believe Mr. Johnson is not going as far as Mr. Chase in imposing negro votes on the Southern or any States. I never heard a negro ask for that and I think it would be his ruin. . . . I believe the whole idea of giving votes to the negroes is to create just that many votes to be used by others for political uses because I believe the negro don't want to vote now when he is mixed up with the whites in nearly equal proportion, making ship dangerous."<sup>3</sup>

By the last of May Johnson had decided on a policy and on the 29th issued a proclamation of amnesty and another prescribing a mode of reconstruction for North Carolina. In the first, he granted to all who had "participated in the existing rebellion," except certain specifically defined classes, "amnesty and pardon with restoration of all rights of property except as to slaves" on the condition that they should take an oath to support the Constitution of the United States and the Union and to abide by all laws and proclamations with reference to the emancipation of slaves. The most important exceptions to the amnesty were: civil or diplomatic officers of the Confederacy; military officers above the

<sup>1</sup> May 6, O. R., vol. xlvii. part iii. p. 411.

<sup>2</sup> May 10, ibid., p. 462.

<sup>3</sup> Ibid., p. 586.

rank of colonel, naval above the rank of lieutenant; those who left seats in Congress "to aid the rebellion"; all who had been governors of States; and all who owned property worth over twenty thousand dollars. But those excepted persons might make special application to the President for pardon and to them clemency would be "liberally extended."

In the second proclamation the President appointed William W. Holden provisional governor of North Carolina, whose duty it was to devise the proper machinery for choosing a convention. Only those could vote who had exercised that privilege according to the laws of North Carolina in force immediately before May 20, 1861, the date of her secession, and who had taken the oath prescribed by the proclamation of amnesty. Only such persons likewise could be delegates to the convention. But that convention or the legislature thereafter to assemble might determine the qualifications for electors and for office holders—"a power the people of the several States composing the Federal Union have rightfully exercised from the origin of the Government to the present time."<sup>1</sup>

On June 13 a provisional governor for Mississippi was appointed and a like proclamation was issued. Within a month from that time similar action was taken for Georgia, Texas, Alabama, South Carolina and Florida.<sup>2</sup> The so-called "ten-per-cent" governments of Louisiana and Arkansas set up under President Lincoln were formally or tacitly recognized,<sup>3</sup> and that of Tennessee, organized by Johnson as military governor was maintained. Under the auspices of Lincoln a government had also been established for Virginia with its capital

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<sup>1</sup> O. R., ser. ii. vol. viii. p. 578; ser. iii. vol. v. p. 37. These proclamations are also printed by McPherson, p. 9 *et seq.*

<sup>2</sup> McPherson, p. 12.

<sup>3</sup> Ibid., p. 28; Blaine, Twenty Years of Congress, vol. ii. p. 79; my vol. iv. p. 484; *ante*, pp. 52, 54, note 3, 134.

at Alexandria: Johnson by proclamation offered to it the aid of the Federal government so far as should be necessary.<sup>1</sup>

Johnson's policy substantially followed Lincoln's, taking into account the changed circumstances from the surrender of the entire armed forces of the Confederacy; but he was not as liberal in his proclamation of amnesty. Like Lincoln he confined the voters to white men and like him he favoured a qualified suffrage for the negroes although in his opinion that was a matter for the States themselves to determine.<sup>2</sup> His proclamation for North Carolina and consequently all the subsequent ones received the approval of every member of the cabinet, Stanton, Dennison and Speed having given way on the question of negro suffrage.<sup>3</sup> In a speech afterwards Stanton said, "After calm and full discussion, my judgment yielded to the adverse arguments resting upon the practical difficulties to be encountered in such a measure and to the President's conviction that to prescribe the rule of suffrage was not within the legitimate scope of his power."<sup>4</sup> Indeed it is difficult to see how he and his radical colleagues could have done otherwise. It was an extraordinary demand to make that the President should by a mere mandatory proclamation confer the franchise on the negroes. Lincoln had been against such action. The only positive pronouncement of Congress on reconstruction was the Wade-Davis bill and that restricted the right of suffrage to the white man.<sup>5</sup> All the States of the North but six<sup>6</sup> denied the negro the vote and one

<sup>1</sup> May 9, McPherson, p. 8; see Nicolay and Hay, vol. ix. chap. xix.

<sup>2</sup> McPherson, pp. 19, 48; Pierce's Sumner, vol. iv. p. 243.

<sup>3</sup> Stanton's testimony, Impeachment Investigation, p. 401; his letter of Dec. 12, 1867, Gorham's Stanton, vol. ii. p. 416; John Sherman's Speech, Feb. 26, 1866, *Globe* app., p. 126; McCulloch, Men and Measures, p. 378.

<sup>4</sup> May 23, 1866, Life of Stanton, Gorham, vol. ii. p. 305.

<sup>5</sup> Vol. iv. p. 485.

<sup>6</sup> All the New England States but Connecticut and New York. James Harlan of Iowa who succeeded Usher as Secretary of the Interior, May 15,

of the six (New York) required a property qualification for him but not for the white. The great majority of the Union Republican party was at that time opposed to negro suffrage. There was no colour of law, precedent or custom to justify Johnson in taking the course urged upon him by Sumner and Chase; for the suggestion of the Chief Justice that the President should order a provision of one North Carolina constitution set aside and direct proceedings under a different proviso of a previous constitution was irrational and especially remarkable as coming from a man versed in the law.<sup>1</sup>

Since May 29 Johnson's action had been sound.<sup>2</sup> "I had myself," testified Stanton afterwards, "no doubt of the authority of the President to take measures for the organization of the rebel States on the plan proposed during the vacation of Congress and agreed in the plan specified in the proclamation in the case of North Carolina."<sup>3</sup> This is important as showing the distinct approval by the member of the cabinet who best represented the radical Republicans. But after having started the process of reconstruction the President, in my judgment, made a mistake in not convening Congress in extra session at the earliest possible moment in the autumn. It is true Lincoln would not have called Congress together<sup>4</sup> but he stood as the representative of Northern sentiment fully as much as the Senate and the

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and thought that "loyalty and not color ought to be the basis of suffrage" said in a letter to Sumner June 15, after enumerating the "loyal States" which denied the negro the suffrage: "We have three-fourths of the free States excluding colored citizens from the use of the ballot. I need not suggest to you what use could and would be made of this recorded judgment of the people of the free States applied to themselves, when settling the same question for others." Four days later he wrote that when the question of negro suffrage came to be discussed in the country "the opponents of the measure will apply to the majority of the free States the withering irony, 'Physician, heal thyself.'" Sumner Corr., MS., Harvard Library. This correspondence was placed in the library by the heirs of Edward L. Pierce.

<sup>1</sup> *Ante*, p. 524.

<sup>2</sup> *Ante*, p. 525.

<sup>3</sup> May 18, 1867, *Impeachment Investigation*, p. 401.

<sup>4</sup> *Ante*, p. 187; *Pierce's Sumner*, vol. iv. p. 239.

House. Johnson represented no considerable or enduring phase of sentiment at the North and had little comprehension of Northern public opinion which Congress now stood for in an eminent degree. The House was elected at the same time as Lincoln and "there is reason to believe," said Sumner, that it is "the best that has sat since the formation of the Constitution"<sup>1</sup> while the Senate in ability, honesty and experience may be fitly compared with any which has assembled in Washington. One requirement of a durable reconstruction was that the North must be satisfied and this was more difficult than it otherwise would have been because of the tendency to hold the South accountable for the assassination of Lincoln. Moreover satisfaction would not be complete unless Congress had a hand in the work and unless the radical Republicans had a chance to be heard. No member of the cabinet however seems to have advised the summoning of Congress and in April Sumner hoped that it would not be done.<sup>2</sup> In truth the administration of Lincoln had accustomed Congress and the people to arbitrary power which was relished by each party or faction if exercised to further its own particular ends. In April Sumner was content to have reconstruction by executive decree as he then felt sure that it would confer the franchise on the negro but in August his opinion was: "Refer the whole question of reconstruction to Congress where it belongs. What right has the President to reorganize States?"<sup>3</sup> The second thought was the rational one. Andrew Johnson succeeded to greater power than any President except his predecessor had ever wielded,<sup>4</sup> but the war was over and the peaceful rule of legislation by Congress with the

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<sup>1</sup> Address Oct. 2, 1866, Works, vol. xi. p. 4.

<sup>2</sup> Pierce's Sumner, vol. iv. p. 239.

<sup>3</sup> *Ibid.*, p. 256. R. H. Dana states forcibly Sumner's attitude, *Life of Dana*, Adams, vol. ii. p. 332.

<sup>4</sup> See a careful article in *The Nation*, June 12, 1866, p. 745.

advice and approval of the executive ought to have been resumed.

Different constitutional theories<sup>1</sup> were invoked to confirm whatever policy any party group desired to pursue toward the South but all agreed that some conditions should be imposed on the States which had been "in rebellion" before they should be entitled to the privileges of those which had sustained the Union cause. As soon as might be consistent with proper deliberation it was desirable to submit those conditions to the South for acceptance for she was in a temper at the close of the war to consider patiently the terms of the victor. "The people," wrote Schofield to Halleck from Raleigh, May 7, "are now in a mood to accept anything in reason and to do what the government desires. . . . I believe the Administration need have no anxiety about the question of slavery or any other important question in this State."<sup>2</sup> It is undeniable that a sentiment prevailed that the North would exact harsh conditions. Before the Confederate Congress finally adjourned it declared in its appeal to the people that in the event of our "absolute surrender," "not only would the property and estates of vanquished 'rebels' be confiscated but they would be divided and distributed among our African bondsmen."<sup>3</sup> While this and similar appeals were intended primarily to fire the Southern people to prolonged resistance they expressed a latent fear which after the surrender made itself manifest under the influence of Johnson's threats to punish and

<sup>1</sup> For an analysis of these see Dunning, Essays on the Civil War and Reconstruction, p. 100.

<sup>2</sup> O. R., vol. xlvii. part iii. p. 430. See also his letters to Sherman and Grant, *ibid.*, pp. 405, 463.

<sup>3</sup> *Ante*, p. 81. The Governor of Mississippi said in his inaugural address Nov. 16, 1863: "Humbly submit yourselves to our hated foes, and they will offer you a reconstructed Constitution providing for the confiscation of your property, the immediate emancipation of your slaves, and the elevation of the black race to a position of equality—ay of superiority, that will make them your masters and rulers."—O. R., ser. iv. vol. ii. p. 961.

impoverish "traitors." There was undoubted anxiety too lest some of the Southern leaders should be tried and executed for treason. The time was propitious for a settlement and could the President and Congress have agreed on a fixed plan they might undoubtedly have moved the Southern States to accord to the negroes full civil rights and qualified suffrage in addition to the conditions actually imposed by Johnson. The North Carolina and subsequent proclamations lifted a heavy load from the Southerner. He felt that he was getting off easy. Under the directions men went to work with alacrity to elect delegates to the constitutional conventions; they showed eagerness to get back into the Union.<sup>1</sup>

As soon as his policy was developed the radical Republicans took issue with the President. Wade, like Johnson, rough and plain-spoken, had a genuine respect for him, did not want to give him up and still hoping that he might be brought to the views of the radicals went to Washington in June and entreated him to convene Congress.<sup>2</sup> But on July 29 the Ohio senator wrote to Sumner from his home: "I regret to say that with regard to the policy resolved upon by the President, I have no consolation to impart. . . . The salvation of the country devolves upon Congress and against the Executive."<sup>3</sup> Thaddeus Stevens asked Sumner by letter, "Is there no way to arrest the insane course of the President in reorganization?" and later wrote, "I have twice

<sup>1</sup> Carl Schurz's report based on three months' sojourn at the South from July 15, 1865, Sen. Ex. Doc. No. 2, 39th Cong. 1st Sess., p. 3; *The Nation*, Nov. 23, 1865, p. 646, conclusions of a correspondent who had travelled largely in the South in 1865 and 1866, April 12, 1866, p. 460; Report of the Joint Committee on Reconstruction, 39th Cong. 1st Sess., p. xviii, Testimony Virginia, p. 107, Arkansas, etc., p. 100; Sumner's address, Oct. 2, 1866, Works, vol. xi. p. 7; J. D. Cox's Military Reminiscences, vol. ii. p. 540; Reconstruction in Mississippi, Garner, p. 61.

<sup>2</sup> Welles, *The Galaxy*, May, 1872, p. 667; speech of Voorhees, House, Jan. 9, 1866, *Globe*, p. 151.

<sup>3</sup> Sumner's Works, vol. ix. p. 480.

written him, urging him to stay his hand until Congress meets.”<sup>1</sup> Sumner said that the exclusion of the negroes from voting for delegates to the North Carolina convention was “madness”;<sup>2</sup> and his speech as president of the Massachusetts Republican convention in September was called by an opponent a “Declaration of war against the President.”<sup>3</sup> From the “rebel States,” he declared, was heard “one sullen, defiant voice:—

‘What though the field be lost?  
All is not lost.’”

“As they precipitated themselves out of the Union they now seek to precipitate themselves back.” Anticipating

<sup>1</sup> June 14, Aug. 26, *ibid.*

<sup>2</sup> Letter to Bright, *Pierce's Sumner*, vol. iv. p. 253.

<sup>3</sup> *Ibid.*, p. 257; *Works*, vol. ix. p. 483. Harlan wrote Sumner Aug. 21: “If our friends all over the country denounce him [Johnson] and drive him into the arms of the Copperheads you will not carry your views by a two-third vote in Congress. Executive influence, the Copperheads and luke-warm Union members in such a contest will carry more than a third of the House of Representatives. . . . In my opinion we ought to be very careful not to drive the President over to the enemy.” McCulloch wrote Aug. 22: “Mr. Johnson is intelligent and patriotic. He is no lover of slavery but a hearty and earnest hater of it and the aristocracy which it has produced. . . . He may be making a mistake but it cannot be a *fatal* mistake inasmuch as the correcting power will still be in his own hands or in the hands of Congress. He is pursuing the only course which he feels at liberty to pursue under the Constitution and he feels very confident that it will be attended with the best results. If as his policy is developed it should appear that he has committed an error he will properly acknowledge it and try some other plan. It is after all but an experiment. If it fails it will not be the fault of the President; and he will then be at liberty to pursue a sterner policy and the country will sustain him in it. Rebels and enemies will not be permitted to take possession of the Southern States or to occupy seats in Congress or to form coalitions with the Northern Democracy for the repudiation of the national debt or a restoration of slavery.” — Sumner Corr., MS., Harvard Library. Sumner's speech was made Sept. 14. Five days before Senator Wilson wrote him: “Fessenden . . . tells me that the President is right in sentiment and opinion on all matters pertaining to the negroes except suffrage — on that question he is wrong. But he hopes that time and firmness and prudence on our part will bring him right. . . . We have a President who does not go as far as we do in the right direction but we have him and cannot change him and we had better stand by the administration and endeavor to bring it right.” — *Ibid.*

an alliance with the Democrats at the North to reassert their ancient masterdom their sentiment seemed to be that having lost by "open war" they should "claim our just inheritance of old by covert guile."<sup>1</sup>

But for the most part the Northern people approved the policy of the President, the operation of which was at first promising, and the radical leaders were despondent. "If something is not done," wrote Thaddeus Stevens, "the President will be crowned king before Congress meets;" and again, "The danger is that so much success will reconcile the people to almost everything."<sup>2</sup> Wade wrote: "To me all appears gloomy. The President is pursuing and resolved to pursue a course in regard to reconstruction that can result in nothing but consigning the great Union or Republican party, bound hand and foot to the tender mercies of the rebels we have so lately conquered in the field and their copperhead allies of the North."<sup>3</sup> Sumner more hopeful than others said in a private letter to Bright, "Some of our friends are in great despair; I am not;" but even he was disappointed that the radical members of the cabinet had forsaken "the good cause." "The attorney-general" (Speed), he wrote, "is the best of the Cabinet; but they are all courtiers unhappily, as if they were the counsellors of a king."<sup>4</sup>

Party convention after party convention, Democratic as well as Republican, held during the summer and autumn, indorsed the policy of the President and pledged him their cordial support. There were but two dis-

<sup>1</sup> Sumner's Works, vol. ix. p. 453.

<sup>2</sup> To Sumner, June 14, Aug. 17, *ibid.*, p. 480.

<sup>3</sup> July 29, Sumner Corr., MS., Harvard Library; see also letter of Chase, Schuckers, p. 524.

<sup>4</sup> Aug. 8, 11, Pierce's Sumner, vol. iv. pp. 250, 255. Mr. Pierce made a careful study of public sentiment during the summer and autumn and has written an excellent and concise account of it amply supported by a wealth of authorities. Letters to Sumner from Harlan, Speed, Welles and McCulloch are in the Sumner Corr., MS., Harvard Library.

cordant notes. The Union convention of Pennsylvania dominated by Stevens and the Republican of Massachusetts by Sumner expressed a certain confidence in Johnson, but condemned virtually his policy.<sup>1</sup> But every one in Massachusetts did not agree with Sumner. Representative Henry L. Dawes sustained the President. Governor Andrew sympathized with the defeated Southerners, opposed the immediate and unqualified enfranchisement of the negro, and, while thinking Johnson precipitate, urged that New England might give him her friendly co-operation.<sup>2</sup> He had also the support of the great war governor of Indiana. Morton made a speech at Richmond (Ind.) in which he said that Johnson was faithfully trying to carry out the policy of amnesty and reconstruction bequeathed to him by Lincoln, and he also combated Sumner's views on negro suffrage.<sup>3</sup> Johnson himself comprehended the radical opposition under the leadership of Sumner and Stevens but felt sure that he had the great mass of Northern people at his back.<sup>4</sup> *The Nation*<sup>5</sup> of September 28 said that the President's policy had "the miraculous property of ap-

<sup>1</sup> Appleton's Annual Cyclopaedia, 1865, pp. 523, 524, 534, 614, 685, 686, 693, 812, 822; *Tribune Almanac* for 1866, p. 43; *The Nation*, Aug. 24, p. 164.

<sup>2</sup> Pierce's Sumner, vol. iv. p. 251; Life of Andrew, Pearson, vol. ii. p. 263 *et seq.* Henry Winter Davis wrote Sumner July 26: "Will Massachusetts tolerate Dawes? His speech is very discouraging." Thaddeus Stevens wrote Aug. 26: "I fear Dawes. Can he be brought right?" — Sumner Corr., MS., Harvard Library.

<sup>3</sup> Life of Morton, Foulke, vol. i. p. 446; Julian's Political Recollections, p. 264.

<sup>4</sup> McCulloch wrote Sumner Aug. 22, "The policy which is now being tried is, as I believe, approved by a large majority of the Union men at the North." — Sumner Corr., MS., Harvard Library.

Early in September, 1865 I had the good fortune to assist as a hearer at a conversation between the President and Mrs. Douglas at the White House. The President in his animation rose to his feet and declaimed as if he were speaking from a platform. The pith of his talk I have stated in the text. I still retain a vivid impression of the confidence which the President manifested that the country would sustain him. See also Johnson's despatch to the provisional governor of Mississippi, McPherson, p. 19.

<sup>5</sup> The weekly journal, the first number of which appeared July 6, 1865.

pearing to satisfy all parts and parties of the country." In truth it seemed for the moment as if another "era of good feeling" had arrived.

The dejected and impoverished South was sensible of the blessings of peace. The raising of the blockade giving her again open ports, the restoration of commercial intercourse with the North, the transmission of the United States mails, the reopening, as far as possible, of the United States courts<sup>1</sup> — these renewals of former bonds of union were infusing fresh hope into this people, who had just seen the fruitless ending of long years of sacrifice. With the benefits, it is true, came the Treasury establishment with collectors of customs and internal revenue<sup>2</sup> but the significance of being taxed to pay for her own subjugation was not at first duly appreciated by the South. The summer and autumn were characterized by political activity ; the first step taken under the new order of things was the election of a convention in each State. The general desire to take part in reconstruction is evidenced by the large number of applications for pardon from men in the excepted classes so that they might vote and be eligible for election as delegates.<sup>3</sup> The President granted pardons freely and wisely.

Mississippi's convention was the first to assemble. On August 21 and 22 it declared that slavery should no longer exist in the State and that the secession ordinance of January, 1861 was null and void. The day after the convention met (August 15) the President sent a telegram to the provisional governor urging the delegates to extend the elective franchise to all negroes who could read and write and to all who owned real estate of a value not less than \$250 ;<sup>4</sup> but they did not see fit to comply with this wise counsel and thereby missed a great opportunity ;

<sup>1</sup> McPherson, p. 9 *et seq.*

<sup>2</sup> *Ibid.*, p. 11.

<sup>3</sup> *The Nation*, Aug. 3, p. 130 ; Blaine, *Twenty Years of Congress*, vol. ii. p. 75.

<sup>4</sup> This property qualification was that of the New York constitution.

they might have set an example which the other States would have followed.<sup>1</sup>

September 13 South Carolina's convention met and in two days by a vote of 107 to 3 repealed her ordinance of secession. All, with the possible exception of two or three delegates, admitted that slavery was dead but considerable difference of opinion existed as to the manner of expressing the fact. This gave rise to an interesting debate and in the end by a vote of 98 to 8 the convention declared that "the slaves in South Carolina having been emancipated by the action of the United States authorities" slavery should never be re-established.<sup>2</sup>

Alabama speedily abolished slavery, declared her ordinance of secession null and void and repudiated all of her war debts.<sup>3</sup>

North Carolina followed. The phraseology used by her convention in regard to her act of secession illustrates the difference of opinion between that community and the original seven Confederate States: "the said supposed ordinance is now and at all times hath been null and void" (October 9). Touching the war debt there existed a decided difference of opinion but the party favourable to its payment was in the ascendant and the

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<sup>1</sup> Sen. Ex. Doc. No. 26, 39th Cong. 1st Sess., pp. 69, 72, 229; McPherson, p. 19; Appleton's Annual Cyclopaedia, 1865, p. 579; Reconstruction in Mississippi, Garner, p. 82. There is no record in the journal of the reading of the President's despatch to the convention. The people of the South were averse to negro suffrage even with an educational or property qualification. See, for example, Sen. Ex. Doc. No. 26, 39th Cong. 1st Sess., p. 124; Report of the Joint Committee on Reconstruction, part iii. p. 132. The subject of qualified negro suffrage does not appear to have been brought up in any convention except that of Texas, in February, 1866. The proposal was voted down in committee; this disposition of it prompted a minority report which was not acted upon. Journal, p. 81.

<sup>2</sup> Journal of the South Carolina convention, Sen. Ex. Doc. No. 26, 39th Cong. 1st Sess., p. 120; The South since the War, Sidney Andrews, p. 47; McPherson, p. 22; Appleton's Annual Cyclopædia, 1865, p. 758.

<sup>3</sup> Sen. Ex. Doc. No. 26, p. 105; McPherson, p. 21; Appleton's Annual Cyclopædia, 1865, p. 14.

convention would have adjourned without annulling it had not pressure from Washington been exerted. The President had added one condition<sup>1</sup> to restoration which was stated in his despatch of October 18 to Governor Holden, "Every dollar of the debt created to aid the rebellion against the United States should be repudiated finally and forever." This is the first sentence of a telegram which elaborates the matter and which as a presidential message was read to the convention. The "score of faithful Union men" applauded it and one shouted "Hurrah for Andy Johnson." The convention soon thereafter adjourned, but the next day, the last of its session, after an animated contest, passed an ordinance repudiating the war debts.<sup>2</sup>

Georgia in two minutes unanimously repealed her ordinance of secession and in one minute abolished slavery (October 30, November 4). But a struggle took place over the war debt. It looked as if assumption would carry the day when the provisional governor telegraphed to the President: "We need some aid to repeal the war debt. . . . What should the convention do?" Promptly came the reply, "The people of Georgia should not hesitate one single moment in repudiating every single dollar of debt created for the purpose of aiding the rebellion against the government of the United States." This turned the scale and the convention by a vote of 135 : 117 repudiated the debt (November 8).<sup>3</sup>

<sup>1</sup> While I have found no positive evidence for injunctions which were conveyed to the conventions by the President, that they must repeal or declare null and void their ordinances of secession and abolish slavery, yet pending the elections for delegates the provisional governors and other leading men from the South visited Washington and had conferences with the President and Secretary Seward: that they then received instructions is almost beyond doubt. At the time of the elections for members of the conventions it seemed to be generally understood that these two things would be done. See Reconstruction in Mississippi, Garner, p. 87, note 4.

<sup>2</sup> Sidney Andrews, p. 132 *et seq.*; Sen. Ex. Doc. No. 26, p. 11; McPherson, p. 18.

<sup>3</sup> "The debt of the State when the war began was \$2,667,750. This had been increased \$18,135,775 during the existence of the war; which sum was

Georgia had not been devoted to Jefferson Davis and was now the foremost of the cotton States in accepting the new order of things: a memorial (October 31) invoking executive clemency for him came from her therefore with especial grace. It was a dignified paper and expressed substantially the feeling of the preponderant majority of the people of the late Confederacy. "We imposed upon Jefferson Davis," it said, "a responsibility which he did not seek. Originally opposed to the sectional policy to which public opinion with irresistible power finally drove him, he became the exponent of our principles and the leader of our cause. . . . If then he is guilty, so are we. . . . Let not the retribution of a mighty nation be visited upon his head while we, who urged him to his destiny, are suffered to escape."<sup>1</sup>

Sidney Andrews who as correspondent of the Boston *Daily Advertiser* and Chicago *Tribune* spent September, October and November in North Carolina, South Carolina and Georgia has given an interesting account of the personnel and the proceedings of the conventions in these three States. The delegates, and the voters who had chosen them, had with rare exceptions sympathized with the Southern cause after the war began whether they had originally been for or against secession; but all had taken the oath of amnesty and intended to abide loyally by the results of the war, which signified to them that chattel slavery and secession were dead beyond resurrection. Many of the delegates were men of ability and experience and the main body, as was the instinct at the South, submitted to their leadership so that the pro-

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rendered null and void by this ordinance, consisting in the currency and bonds of the State issued by her authority and in which a large amount of ante-war securities had been invested." — Life of Joseph E. Brown, Fielder, p. 413.

<sup>1</sup> Journal of the Convention; Sidney Andrews, p. 237 *et seq.*; Sen. Ex. Doc. No. 26, p. 80; McPherson, p. 20; Reconstruction of Georgia, Woolley, p. 1. Florida annulled her secession ordinance, abolished slavery and repudiated the war debt (Oct. 26, Nov. 6). Texas acted similarly but not until 1866. McPherson, pp. 24, 28.

ceedings were orderly and went straight to the mark. Crushed in spirit and ruined in estate they were, nevertheless, trying to make the best of a bad situation. The depression was in marked contrast with the buoyancy of the conventions of 1860 and 1861;<sup>1</sup> and the action they were now taking betokens the tremendous revolution accomplished in less than five years. There was more reason to rejoice at the performance of South Carolina, North Carolina and Georgia (and this was an indication of Southern sentiment generally) than there was to lament at what they had left undone. Who in January, 1861 would have dared to prophesy that before New Year's Day of 1866 these States and their sisters would by their own acts renounce the practical right of secession and abolish slavery? They were eager now to return to the Union, desired representation in Congress, freedom from military rule (which of course still obtained in the old Confederate States) and the right to manage their own local affairs. When the passions of the war should subside and the ante-bellum habits and modes of thought should revive, good ground for hope existed that the Southern States would be loyal to the reconstructed country.

The different conventions ordered elections for the legislature and other State officers and for members of Congress which were duly held.<sup>2</sup> The vote for Governor in Alabama, Mississippi, North Carolina and Georgia was almost exactly one-half that cast for President in 1860.<sup>3</sup> When the legislatures met, the President required of them that they should ratify the Thirteenth Amendment abolishing slavery and this was done speed-

<sup>1</sup> See vol. iii. pp. 197, 272.

<sup>2</sup> McPherson, p. 18.

<sup>3</sup> 185,520 : 371,287, *Tribune Almanac*, 1866. The proportion with Georgia out is larger. In Georgia there was no contest. Judge Jenkins, who was "everywhere respected and venerated" (Andrews, p. 242), was elected without opposition. Comparison cannot be made in the case of South Carolina, as in that State there was no popular vote for President in 1860.

ily by South Carolina, North Carolina, Alabama and Georgia but Mississippi refused her assent.<sup>1</sup> These four with the four States reconstructed by Lincoln,<sup>2</sup> added to those of the North which had ratified it made twenty-seven the necessary three-fourths: December 18 the Secretary of State issued a proclamation certifying that the Thirteenth Amendment had become "valid as part of the Constitution of the United States";<sup>3</sup> but even on the day before this became organic law slavery had legal existence nowhere except in Kentucky and Delaware.<sup>4</sup>

The refusal of Mississippi to ratify the anti-slavery amendment and her harsh legislation respecting the freedmen<sup>5</sup> were acts calculated to disturb the President.<sup>6</sup> He had previously been disquieted by what had taken place in Georgia and North Carolina. To the general in command at Augusta he telegraphed November 24: "I am free to say that it would be exceedingly impolitic for Mr. A. H. Stephens's name to be used in connection with the senatorial election. If elected he would not be permitted to take his seat, or in other words, he could not take the oath required. . . . He stands charged with treason and no disposition has been made of his case. . . . The information we have here is that all the members elect to Congress from Georgia will not be able to take the oath of office, and a modification of the oath by the present Congress is exceedingly doubtful. . . . There seems in many of the elections

<sup>1</sup> McPherson, p. 19; Appleton's Annual Cyclopædia, 1865, p. 760; Dunning, p. 82.

<sup>2</sup> Virginia, Tennessee, Arkansas, Louisiana.

<sup>3</sup> Florida ratified it Dec. 28, 1865, and Texas, Feb. 18, 1870. Four additional Northern States ratified it in Dec., 1865, and Jan., 1866, making a total of 33 out of 36 States, the number in the Union Dec. 18, 1865. Kentucky and Delaware did not ratify it and Mississippi afterwards gave an assent with conditions which made her ratification nugatory.

<sup>4</sup> Texas was so certain to abolish slavery that she need not be excepted.

<sup>5</sup> McPherson, p. 29.

<sup>6</sup> See for example his despatch to the Governor of Mississippi, Appleton's Annual Cyclopædia, 1865, p. 585.

something like defiance, which is all out of place at this time.”<sup>1</sup> On November 27 he telegraphed to Governor Holden: “The results of the recent elections in North Carolina have greatly damaged the prospects of the State in the restoration of its governmental relations. Should the action and spirit of the Legislature be in the same direction it will greatly increase the mischief already done and might be fatal.”<sup>2</sup>

Congress met on December 4. Four men, one in the House and three in the Senate, stood above their fellows as leaders, Thaddeus Stevens of Pennsylvania, Sumner, Lyman Trumbull of Illinois and William Pitt Fessenden of Maine.

Stevens was born in Vermont in 1792 and, although his family was poor, he received a good education at a Vermont academy and at Dartmouth College. At twenty-two he moved to Pennsylvania where he taught school and studied law. He began practice at Gettys-

<sup>1</sup> O. R., ser. ii. vol. viii. p. 818. By the act of July 2, 1862 every person elected or appointed to office was required to take an oath that he had “never voluntarily borne arms against the United States” or given “aid, countenance or encouragement to persons engaged in armed hostility thereto”; that he had “neither sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States”; that he had not “yielded a voluntary support to any pretended government, authority, power or constitution within the United States hostile or inimical thereto.” This is the so-called “iron-clad oath.” Jan. 22, 1866 Stephens declined a proposed election to the Senate, but on being pressed wrote a week later that he would not “refuse to serve,” and he was thereupon elected. Johnston and Browne, p. 489.

<sup>2</sup> Life of Johnson, Savage, App., p. 108. Schurz wrote to Sumner, July 3: “I shall write to him [Johnson] once more before I leave [for the South] to convince him that it would be good policy under existing circumstances not to have any elections held in the Southern States previous to the meeting of Congress. This is a point of great importance and it would be well for our friends to make a united effort in that direction. *The Pres't must be talked to as much as possible*; he must not be left in the hands of his old associations that are more and more gathering around him.” Harlan wrote Nov. 11: “I regret that I have nothing cheering to write. I feel very sad when I see how very easy it would have been to garner all the fruits to which a just and victorious cause was entitled. . . . I do not see a firm foot path through this Slough of Despond.” — Sumner Corr., MS., Harvard Library.

burg, and, being diligent in his profession, became a good lawyer, his necessary devotion to the work of gaining a livelihood preventing his engaging actively in politics until he had reached the age of thirty-seven. At forty-one he was sent to the legislature where his significant work was embodied in a great speech by which he converted the House and the Senate and thereby saved from repeal the free public school system of his commonwealth. A member of the constitutional convention he refused to sign the constitution adopted, because it limited the suffrage to "every white freeman," the word "white" being an insertion and absent from the two older constitutions. He wished to get rich and went into the iron business but the venture was not a success and at fifty he was involved in debt for more than \$200,000, an enormous amount for that day. The pressure of this obligation drove him to a larger field of practice and he moved to Lancaster, the home of James Buchanan who was but one year older than himself. He soon rose to be the acknowledged leader of the Lancaster bar — a bar noted for good lawyers — and his professional income which was large enabled him with good management and with the presumable help of a revival of business, to reduce his debt to an amount easily handled. Though a keen money-maker he often placed his talent and his time at the service of the poor fugitive slave to prevent his rendition to slavery.

In 1849 at the age of fifty-seven he was sent to the national House of Representatives of which Andrew Johnson was then a member. This was the Congress of the Compromise Measures and the Fugitive Slave Law and Stevens opposed every concession to the slave power. He retired from the House in 1853 but appeared there again in December, 1859 retaining his seat until death. Appointed Chairman of the Committee on Ways and Means at the extra session of July 4, 1861 he became,

to use the words of Blaine, "the natural leader who assumed his place by common consent." Though he showed no constructive ability during the war he was nevertheless a ready and emphatic advocate of measures devised by other men. But as we have seen Congress was dwarfed by the executive; and a parliamentary leader, which Stevens was in an eminent degree, had not the same chance to make his power felt as in a time of peace. The relations between Lincoln and Stevens were not cordial; they were amicable because Lincoln would not be on other than good terms with men whose power and influence were necessary for the great cause. Stevens had not a high opinion of Lincoln's ability as he could not comprehend the wisdom of patient and careful methods. Nevertheless he was the right sort of man for leader of the House in a crisis. Of undoubted physical and moral courage his determined and unfaltering devotion was one of the influences which sustained the Northern people during the weary conflict. A member of the National Union Convention of 1864 he was not favourable to the nomination of Johnson saying to A. K. McClure, "Can't you find a candidate for Vice-President in the United States without going down to one of those rebel provinces to pick one up?"

Stevens was a student and liked to read good literature. When possible he carefully prepared his speeches which were a marvel of brevity beside the rather diffuse speeches of the time; he was also a powerful debater speaking on the spur of the moment in words that could not be misconstrued. He was a natural radical and a violent partisan. Endowed with remarkable wit he sometimes used it genially but more frequently in withering sarcasm. Sumner who elaborated much and whose speech was often painfully stuffed up with words paid tribute to these gifts: "Nobody said more in fewer words or gave to language a sharper bite. Speech was with him at times a cat-o'-nine-tails and woe to the

victim on whom the terrible lash descended." Stevens had a profound sympathy with those who suffered, his feeling for the negro coming straight from the heart. He never forgot a kindly act but on the other hand was bitter and vindictive. When the Confederates burned Chambersburg in 1863 his iron works were destroyed; and common report had it that this act by which he was again reduced to poverty increased his virulence towards the South.<sup>1</sup> "He had," wrote Blaine, "the reputation of being unscrupulous as to political methods, somewhat careless in personal conduct, somewhat lax in personal morals."

Stevens nearly seventy-four was infirm, "a broken old man" but his spirit was dauntless. Trained on the political battle-ground of Pennsylvania he was pre-eminently a fighter and his whole life seemed to have been a preparation for the next two and a half years for he now stood at the threshold of his great fame.<sup>2</sup>

For the preliminary organization of the House, the clerk obedient to the behest of the Republican caucus, whose policy had been dictated by Stevens, had placed on the roll of members-elect only those chosen by the States which had adhered to the Union, excluding by set purpose the representatives chosen by the States which had been reconstructed under both Lincoln and Johnson. On the first day of the session (December 4) as required by law the clerk read this roll, and, prompted by Stevens, who apparently dominated the whole proceedings, refused to listen to the protest of a member-elect from Tennessee, and declined to entertain motions from two Democrats directing him to put upon the roll the members-elect from the President's own State.

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<sup>1</sup> This is indignantly denied by Sumner.

<sup>2</sup> This characterization is drawn mainly from McCall's Stevens, but I have been helped by Blaine, *Twenty Years of Congress*; McClure, *Lincoln and Men of War Times*; Callender's Stevens. See also the references to him in my vols. i., ii., iii.

Overbearing these objections, smothering all attempts at debate by points of order, by a motion to proceed to the election of speaker and a demand thereon of the previous question, the Republican majority of considerably more than two-thirds, stood firmly at the back of their leader. Schuyler Colfax of Indiana was elected speaker and certain other business necessary to a permanent organization was despatched. Then Stevens offered a resolution that a joint committee of nine from the House and six from the Senate be appointed to inquire into the condition of the former Confederate States, "and report whether they or any of them are entitled to be represented in either House of Congress . . . ; and until such report shall have been made and finally acted upon by Congress, no member shall be received into either House from any of the said so-called Confederate States." Objection was made by a Democrat and Stevens moved a suspension of rules to enable him to introduce the resolution which was carried by the necessary two-thirds whereupon he demanded the previous question. Another Democrat asked a question intimating the propriety of awaiting action until the receipt of the President's message but this suggestion was frowned upon and by a vote of 133:36 the resolution was adopted.<sup>1</sup> In due time (December 12) the Senate considered it and struck out the last clause above cited: this amendment was agreed to by the House. Stevens was appointed chairman of the House committee, Fessenden of the Senate: the senator became chairman of the joint committee.<sup>2</sup>

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<sup>1</sup> *Globe*, p. 3 *et seq.*, p. 26; The Impeachment and Trial of Andrew Johnson, Dewitt, p. 24. The *Tribune Almanac* classifies the House, Unionists, 145, Democrats, 40; the Senate, Unionists, 40, Democrats and Conservatives, 11.

<sup>2</sup> Their associates were: House, Elihu B. Washburne of Illinois; Justin S. Morrill, Vermont; Henry Grider, Kentucky; John A. Bingham, Ohio; Roscoe Conkling, New York; George S. Boutwell, Massachusetts; Henry T. Blow, Missouri; Andrew J. Rogers, New Jersey. Grider and Rogers were

On the second day of the session (December 5) the President's message was heard. If Andrew Johnson wrote it—and the weight of authority seems to imply that he did—it shows that he ought always to have addressed his countrymen in carefully prepared letters and messages. The excellent tenor and style of this paper is in striking contrast with the tiresome redundancy and offensive egotism of his speeches. It met in a conciliatory way the hostile or critical attitude of a part of Congress; and to Republican members disposed to work with the President it was a cheering indication that they were separated by no chasm. He appeared to say to the senators and representatives: Let us take counsel together. I know the South and the negro; you know the sentiment of the North. "I need," he said at the commencement, "the support and confidence of all who are associated with me in the various departments of Government and the support and confidence of the people." Stating calmly his favourite theory that the Southern States had not been out of the Union, but their functions had merely been "suspended" he related that he had sought "gradually and quietly and by almost imperceptible steps to restore the rightful energy of the General Government and of the States." Recounting the steps which he had taken he asked, "Is it not a sure promise of harmony and renewed attachment to the Union that, after all that has happened, the return of the General Government is known only as a beneficence?" In a still further discussion his words are those of a statesman: "Every patriot must wish for a general amnesty at the earliest epoch consistent with public safety.<sup>1</sup> For

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Democrats. Senate, James W. Grimes, Iowa; Ira Harris, New York; Jacob M. Howard, Michigan; George H. Williams, Oregon; Reverdy Johnson, Maryland. Johnson was a Democrat. Joint Committee on Reconstruction Journal.

<sup>1</sup> Later on in his message he seemed to hold in theory to his early presidential speeches. "It is manifest that treason, most flagrant in its character, has been committed. Persons who are charged with its commission should

this great end there is need of a concurrence of all opinions and the spirit of mutual conciliation. All parties in the late terrible conflict must work together in harmony. It is not too much to ask in the name of the whole people that, on the one side, the plan of restoration shall proceed in conformity with a willingness to cast the disorders of the past into oblivion; and that on the other the evidence of sincerity in the future maintenance of the Union shall be put beyond any doubt by the ratification of the proposed amendment to the Constitution which provides for the abolition of slavery forever within the limits of our country." The adoption of this amendment (the Thirteenth) ought in his opinion to entitle the Southern States to representation in the national legislature but this was for the Senate and House each for itself to judge. He advocated leaving the question of suffrage for the negroes to the States and thought that if the freedmen showed "patience and manly virtues" they might after a while obtain a participation in the elective franchise. "When," he continued, "the tumult of emotions that have been raised by the suddenness of the social change shall have subsided it may prove that they will receive the kindest usage from some of those on whom they have heretofore most closely depended. . . . Good faith requires the security of the freedmen in their liberty and their property, their right to labor, and their right to claim the just return of their labor. . . . I know that sincere philanthropy is earnest for the immediate realization of its remotest aims; but time is always an element in reform. It is one of the greatest acts on record to

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have fair and impartial trials in the highest civil tribunals of the country in order that the Constitution and the laws may be fully vindicated; the truth clearly established and affirmed that treason is a crime, that traitors should be punished and the offence made infamous." At this time public sentiment demanded the punishment in person of no one who was in the country but Jefferson Davis, and it is inconceivable that the President and his cabinet purposed to bring any one else to trial for treason.

have brought four million people into freedom. The career of free industry must be fairly opened to them; and then their future prosperity and condition must after all rest mainly on themselves."

The message was very well received by every one except the extreme radicals. "Was ever a message submitted to a more approving Congress?" asked in the Senate, February 27, 1866, Dixon, a Republican supporter of Johnson. "Was there ever a President's message read by a more admiring public?"<sup>1</sup> It is one, said *The Nation*, "which any Democrat as well as any American may well read with pride." The President has seized the points of a great question and stated them "with clearness and breadth"; and although this journal had thought that reconstruction was going "too fast" and that at least a qualified suffrage should be conferred on the negro it now declared that the President's plan was "the brightest example of humanity, self-restraint and sagacity ever witnessed — something to which the history of no other country offers any approach."<sup>2</sup> Johnson had almost atoned for his mistake in not convening Congress in the early autumn. While the difficulty of the two working together was somewhat greater than it would have been three months earlier, a harmonious co-operation was entirely feasible. The President's message was in the spirit of Lincoln's second inaugural and of the words of Burke, "Nobody shall persuade me when a whole people are concerned that acts of lenity are not means of conciliation;"<sup>3</sup> and if his plan had been sanctioned by the Republican majority in Congress it would undoubtedly have worked out pretty well the problem of reconstruction.<sup>4</sup>

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<sup>1</sup> Dewitt, p. 31; *Globe*, p. 1046.

<sup>2</sup> Dec. 14, p. 742; see Pierce's Sumner, vol. iv. p. 268.

<sup>3</sup> Life of Burke, Morley, p. 85.

<sup>4</sup> John Sherman who acted with the majority in the Senate wrote in his Recollections, vol. i. p. 361: "After this long lapse of time I am convinced

Approval of his policy by Congress was however impossible. Republican senators and representatives differed on many points but all, with exceptions insignificant in number, were jealous of the prerogative of their body and were at one in the opinion that a business so important, which did not need the prompt decision of war but lent itself to deliberation, should be managed by the joint action of Congress and the Executive. It was certain that the Senate and House would tack on other conditions; the part of the President should have been by friendly co-operation, by the process of give and take to make them less onerous and less difficult of acceptance by the South. In short in his public acts and private intercourse he had only to conduct himself according to the letter and spirit of his message to be the daysman needed between the North and the South. In December, 1865 the great body of Republicans in Congress would have preferred to work with Johnson if he had agreed with them as to certain guarantees rather than to follow Sumner and Stevens whose dogmatism was as pronounced as the President's.

On November 12 Sumner had by a telegraphic despatch besought the President to suspend for the present his policy. "To my mind," he said, "it abandons the freedmen to the control of their ancient masters and leaves the national debt exposed to repudiation by returning Rebels."<sup>1</sup> In regard to the latter subject he had not deemed it wise to heed the appeal of Secretary McCulloch who had written to him on August 16: "I have been greatly alarmed at the disposition that seems to exist among our radical friends to induce the holders of our securities to take ground against the President's policy by the argument that under it there is danger

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that Mr. Johnson's scheme of reorganization was wise and judicious. It was unfortunate that it had not the sanction of Congress and that events soon brought the President and Congress into hostility."

<sup>1</sup> Pierce's Sumner, vol. iv. p. 267; Works, vol. xi. p. 24.

of a coalition between the recent Rebels of the South and the Democracy of the North for the repudiation of the obligations which have been created in the prosecution of the war. It will not do to make the faith of the nation dependent upon any such issue ; and I entreat you as a leader and a creator of public sentiment not to encourage this idea.”<sup>1</sup> Sumner however used this argument in his speech before the Massachusetts convention in September ;<sup>2</sup> but the fear of any attempt at such a repudiation was allayed by the action of the House on the second day of the session when a resolution offered by Samuel J. Randall a Democrat affirming the sacredness and inviolability of the public debt and discountenancing any direct or indirect attempt at repudiation, was carried by 162 : 1 : every Democrat who voted except a Kentucky member gave his voice for the resolution.<sup>3</sup>

As soon as Sumner arrived at Washington he spent two and a half hours with the President, and afterwards gave this account of their meeting : “ He began the interview warmly and antagonistically ; but at the close thanked me for my visit. He does not understand the case. Much that he said was painful from its prejudice, ignorance and perversity.” This day (December 2) their personal relations ceased.<sup>4</sup> Senator Sherman, a moderate Republican, had received a different impression. “ I have seen Johnson several times,” he wrote to his brother, November 10. “ He seems kind and patient with all his terrible responsibility.”<sup>5</sup>

The President’s policy was before Congress. Sumner and Stevens, who were never deficient in frankness lost no opportunity of presenting theirs. That Congress

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<sup>1</sup> Sumner Corr., MS., Harvard Library.

<sup>2</sup> Works, vol. ix. p. 455.

<sup>3</sup> Eight Unionists are recorded as not voting, and presumably were absent. Eleven Democrats are also put down as not voting; see *The Nation*, Dec. 14, p. 739.

<sup>4</sup> Pierce’s Sumner, vol. iv. pp. 268, 269 ; Sumner’s Works, vol. xi. p. 20.

<sup>5</sup> Sherman’s Letters, p. 259.

should insist that the late Confederate States accord civil rights and the suffrage to the negroes was the main feature of Sumner's.<sup>1</sup> Stevens proposed: the reduction of those States to territories, no account therefore to be taken of their ratifications of the Thirteenth Amendment, three-fourths of the loyal States being sufficient; a constitutional amendment changing the basis of representation in the House from population to actual voters; measures to confer on the negroes homesteads, to "hedge them around with protective laws," and to give them the suffrage.<sup>2</sup>

On December 19 in response to a request for information two reports were sent by the President to the Senate: one was General Grant's which was thereafter frequently appealed to by the supporters of Johnson and the other was Carl Schurz's, an important document for those who opposed the President's policy. General Grant's tour in the South had been brief; he had spent one day in Raleigh, two days in Charleston and one each in Savannah and Augusta. On the trains and during his stops he had conversed freely with Southern citizens and officers of the United States army who with their commands were stationed in different places for the preservation of order until civil government should be entirely restored. Conclusions based only on such a journey of observation might not be important; but considering that the magnanimous victor of Appomattox had since the end of the war been in a position to acquire abundant information from all sides, that he was a man who would be likely to recognize the importance of the facts which came to him and that he possessed one of those minds which often attain to correct

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<sup>1</sup> Resolutions of Dec. 4, *Globe*, p. 2; speech of Dec. 20, *ibid.*, p. 92.

<sup>2</sup> Speech of Dec. 18, *ibid.*, p. 72. According to his speech at Lancaster, Sept. 6, 40-acre homesteads were to be provided from the confiscation of "the real estate of 70,000 rebels who own above 200 acres each, together with the lands of their several States." — *The Nation*, Sept. 21.

judgments without knowing the how and the why, it is natural that his opinion should then have carried weight and should now be of historic value in helping us to form a due estimate of Southern sentiment and of a judicious policy of reconstruction. "I am satisfied," he wrote, "that the mass of thinking men of the South accept the present situation of affairs in good faith. . . . Slavery and the right of a State to secede, they regard as having been settled forever by the highest tribunal, arms, that man can resort to." Leading men not only accept the decision as final but believe it "a fortunate one for the whole country. . . . The citizens of the Southern States are anxious to return to self-government within the Union as soon as possible; while reconstructing they want and require protection from the Government; they are in earnest in wishing to do what is required by the Government, not humiliating to them as citizens, and if such a course was pointed out they would pursue it in good faith."<sup>1</sup>

Schurz had been sent South by the President, and reaching his first stopping place on July 15 spent three months in South Carolina, Georgia, Alabama, Mississippi and Louisiana. He was a careful observer and his report is a model of method and expression. Though it is a radical document some of his words may from the point of view of our day be well cited as an indorsement of the President's policy. "The generosity and toleration shown by the Government," he wrote ". . . has facilitated the re-establishment of the forms of civil government and led many of those who had been active in the rebellion to take part in the act of bringing back the States to their constitutional relations. . . . There is at present no danger of another insurrection against the authority of the United States on a large scale." But when Schurz discussed "the moral

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<sup>1</sup> *Globe*, p. 78; McPherson, p. 67.

value of these results" he furnished food for the Republicans who believed that more rigorous conditions than those imposed by the President should be exacted from the late Confederate States. "Treason does, under existing circumstances, not appear odious in the South," he wrote. "The people are not impressed with any sense of its criminality. And there is yet among the southern people *an utter absence of national feeling.*" Their submission and loyalty "springs from necessity and calculation." "Although they regret the abolition of slavery they certainly do not intend to re-establish it in its old form. . . . But while accepting the 'abolition of slavery' they think that some species of serfdom, peonage, or other form of compulsory labor is not slavery and may be introduced without a violation of their pledge. Although formally admitting negro testimony they think that negro testimony will be taken practically for what they themselves consider it 'worth.' For their protection Schurz thought "the extension of the franchise to the colored people" necessary; and as the masses at the South were "strongly opposed to colored suffrage," the only manner in which they could be induced to grant it was to make it "a condition precedent to readmission."<sup>1</sup>

Thus the question was fairly before Congress and the country.<sup>2</sup> The main body of Republican senators and representatives may be looked upon as the jury with Johnson the advocate on one side and Stevens and Sumner on the other. Burke had said, "I do not know the method of drawing up an indictment against a whole people," but Stevens in his plan of reducing the States to conquered provinces<sup>3</sup> and of confiscation of

<sup>1</sup> This report is printed in Sen. Ex. Doc. No. 2, 39th Cong. 1st Sess., and my citations are from pp. 13, 35, 43, 44.

<sup>2</sup> Blaine gives an interesting abstract of the debate on reconstruction, vol. ii. p. 128 *et seq.*

<sup>3</sup> Dunning calls Stevens's "the conquered province theory," p. 107.

the land of their inhabitants had discovered it. In his vindictive policy however he had no following of importance and he himself in his speech disclaimed speaking for the Republican party.<sup>1</sup> No attempt was made to inaugurate his project of confiscation and the quiet assent of Congress to the proclamation of the Secretary of State implying that three-quarters of the whole number of States were required for the ratification of the Thirteenth Amendment disposed of his plan for reducing the late Confederate States to territories.<sup>2</sup> Sumner had no vindictive feeling towards the South but stood forth as the champion of an inferior race, and impartial suffrage was his cardinal and paramount article of reconstruction. But the majority of his party in Congress was against him and the sentiment of the North was well expressed in the autumn elections when Connecticut, Wisconsin and Minnesota declared specifically against extending the franchise to coloured persons.<sup>3</sup> From all the evidence it is impossible to resist the conclusion that from the assembling of Congress in December, 1865 to the veto of the Freedmen's Bureau Bill on February 19, 1866 the majority of Republican senators and representatives were nearer to the President's view than to that of Sumner or of Stevens.<sup>4</sup>

But the people of the late Confederacy were rendering the President's task of securing the acceptance of his policy by the North doubly difficult. Carl Schurz said in his report that the "generosity and toleration shown by the government" had not been met on the part of the South "with a corresponding generosity to the government's friends."<sup>5</sup> The evidence confirming this is various

<sup>1</sup> *Globe*, p. 74.

<sup>2</sup> The latter circumstance is pointed out by Blaine, vol. ii. p. 140.

<sup>3</sup> *Tribune Almanac*, 1866, p. 46; Appleton's Annual Cyclopædia, 1865. Colorado which was then adopting a State constitution preparatory to admission also voted against negro suffrage.

<sup>4</sup> E. L. Pierce, from his point of view, has arrived at substantially the same conclusion, vol. iv. p. 272.

<sup>5</sup> p. 18.

and abundant.<sup>1</sup> Secretary Welles wrote that, "The extreme men of the South were in some localities as rash, unreasonable and impracticable as the Radicals of the North and for a time gave the administration scarcely less embarrassment."<sup>2</sup> Johnson himself used the word "defiance" in connection with certain happenings in Georgia—the most forward State in accepting the situation.<sup>3</sup> The first feeling of submission to the will of the conqueror had been succeeded by demands for the rights of their States under the Constitution: between the sentiment prevailing in the State legislatures and that which had governed the earlier conventions there was a marked difference.

Between October, 1865 and March, 1866 the several Southern State legislatures passed enactments in respect to the freedmen which seemed to the North a grudging bestowal on them of certain civil rights nearly counterbalanced by the application to them of harsh criminal legislation. In all the States the negroes were given the power to sue and be sued, and to testify in the courts when coloured persons were concerned. The relationship of man and wife and the responsibility for their children were recognized. The privilege of serving on juries or in the militia was not bestowed nor of course the right to vote or to hold office. They were not always subject to the same proceedings and punishment as the whites. For the negro the penalty for the rape of a white woman and for certain other offences was death where on the white man a lesser punishment was imposed. The apprentice, vagrant and contract labour laws bore hardly on numbers of coloured men and in some States tended to a system of peonage. The negroes were virtually forbidden to assemble, their freedom of movement was restricted and by some legislatures they

<sup>1</sup> See especially Report of Joint Committee of Reconstruction, p. xvi.

<sup>2</sup> *The Galaxy*, May, 1872, p. 671.

<sup>3</sup> *Ante*, p. 541.

were deprived of the means of defence. In short they were not made equal with the whites before the law.<sup>1</sup>

These laws were not passed in a spirit of defiance to the North,<sup>2</sup> but many good people believed they were ; and this and other misconstructions of them had a powerful effect on Northern sentiment. The difficulties of the problem were not generally comprehended at the North. Three and a half million persons<sup>3</sup> of one of the most inferior races of mankind had through the agency of their superiors been transformed from slavery to freedom. It was a race the children of which might with favouring circumstances show an intellectual development equal to white children "up to the age of thirteen or fourteen ; but then there comes a diminution often a cessation of their mental development. The physical overslaughs the psychical and they turn away from the pursuit of culture."<sup>4</sup> "The infernal laws of slavery," declared Thaddeus Stevens, "have prevented negroes from acquiring an education, understanding the commonest laws of contract or of managing the ordinary business of life."<sup>5</sup> "I met," wrote Sidney Andrews,

<sup>1</sup> Besides the summary of this legislation in McPherson, pp. 29-44, D. M. Matteson examined for me the laws in the statute-books, and in House Ex. Doc. No. 118, House Report No. 30, 39th Cong. 1st Sess., made an abstract of them and generalized the features. See Reconstruction in Mississippi, Garner, p. 113 ; Reconstruction of Georgia, Woolley, p. 18 ; Dunning, p. 92 ; Woodrow Wilson, Division and Reunion, p. 260 ; History of the American People, vol. v. p. 18. Blaine's account (p. 93 *et seq.*) is inaccurate and unfair to the South.

<sup>2</sup> This is pointed out by Frederic Bancroft in his doctor's thesis at Columbia College, *The Negro in Politics*, p. 8. His argument is excellent. Only after a large collation of evidence and considerable reflection did I arrive at that conclusion. Judge Emory Speer of Georgia, in a speech to the Independent Club of Buffalo, Dec. 19, 1902, treats this matter judiciously, as indeed he does the whole question of "The Solid South."

<sup>3</sup> For this number, see vol. iii. p. 397. Scientifically, this number should be reduced by the mulattoes, viz. 12 per cent. ; see vol. i. p. 340.

<sup>4</sup> Brinton, *Races and Peoples*, p. 192. This I am informed is a pretty general view of ethnologists, although many put the age of arrest earlier.

<sup>5</sup> Speech, Dec. 18, *Globe*, p. 74.

"many negroes whose jargon was so utterly unintelligible that I could scarcely comprehend the ideas they tried to convey."<sup>1</sup>

The negroes' idea of freedom was crude and pitiful. When William Lloyd Garrison was at Charleston, April 15, 1865, he saw at a camp three miles from the city twelve hundred plantation slaves who had been brought thither from the interior by Union soldiers. Their misery and degradation were striking; their manifestations of gratitude affected him deeply and he said, "Well my friends, you are free at last, let us give three cheers for freedom!" and he undertook to lead the cheering. "To his amazement there was no response; the poor creatures looked at him in wonder . . . ; they did not know how to cheer."<sup>2</sup> From a section of the Freedmen's Bureau Act of March 3, 1865 the negroes came to believe that the government purposed to give to each of them "forty acres of land and a mule."<sup>3</sup> The land would be provided from the possessions of their old masters. "When is de land goin' fur to be dewided?" asked a number of country negroes of Andrews.<sup>4</sup> One old negro would not leave with some of his fellows, who, supposing that the blessings of freedom could only be had near the army, were going to Charleston; he gave as his reason, "De home-house might come to me, ye see, sah, in de dewision."<sup>5</sup> The general impression obtained that the distribution of the land would take place at the holidays, between Christmas and New Year's Day.<sup>6</sup> An old negro at Macon said to Andrews,

<sup>1</sup> *The South since the War*, p. 227.

<sup>2</sup> *Life of Garrison*, vol. iv. p. 149.

<sup>3</sup> Blaine, vol. ii. p. 164; J. D. Cox's *Military Reminiscences*, vol. ii. p. 543. From my own recollections I can testify to this impression.

<sup>4</sup> *The South since the War*, p. 97.

<sup>5</sup> *Ibid.*, p. 98.

<sup>6</sup> Schurz's report, p. 31; Gen. Wager Swayne's testimony, Arkansas, etc., p. 138; A. H. Stephens's, *ibid.*, p. 160. This Testimony is in House Reports of Committees, Report of Joint Committee on Reconstruction, vol. ii., 39th Cong. 1st Sess., and will be hereafter referred to as Testimony.

"One say dis an' one say dat an' we don' know an' so hol' off till Janerwery."<sup>1</sup>

This expectation of what seemed to them a fortune fostered the native laziness and improvidence of the race; they became unwilling to work and wished to wander about—a life which of necessity was partly supported by theft. To many of the negroes freedom meant simply idleness. Andrews who was opposed to Johnson's policy wrote, "Hundreds of conversations with negroes of every class in at least a dozen towns of central Georgia have convinced me that the race is on a large scale ignorantly sacrificing its own material good for the husks of vagabondage."<sup>2</sup> "What did you leave the old place for, Auntie?" he asked of one who had a comfortable home and had been an indulged favourite of the family. "What fur? 'Joy my freedom!'"<sup>3</sup>

Such were the circumstances under which this legislation was enacted. The five and a half million whites who were legislating for three and a half million blacks were under the influence of "the black terror" which was not known and therefore not appreciated at the North. Many of the laws were neither right nor far-sighted but they were natural. The enactments the least liberal as to civil rights and the most rigorous as to punishment of misdemeanours and crimes were those of South Carolina, Mississippi and Louisiana in which States the proportion of negroes to white men was the largest.<sup>4</sup> These States too passed their acts before Christmas. When the "dreaded holidays" had gone by, and the planters' fear of a general insurrection had subsided, when the hopes of the negroes for a parcelling out of the land had come to naught and they had shown a dis-

<sup>1</sup> *The South since the War*, p. 381.

<sup>2</sup> *Ibid.*, p. 349.

<sup>3</sup> *Ibid.*, p. 353; see *Reconstruction of Georgia*, Woolley, p. 16.

<sup>4</sup> In South Carolina and Mississippi the negroes outnumbered the whites; in Louisiana they were nearly equal.

position to buckle to work conditions began to improve.<sup>1</sup> And these new developments had undoubtedly some influence in the improvement of the laws concerning the freedmen, which however was mainly due to the circumstance that the States enacting their legislation after January 1, 1866 were the most advanced in accepting the situation and were those where the whites largely outnumbered the blacks.<sup>2</sup>

In my judgment it would have been safe to permit the States to work out this problem under the restrictions naturally arising from the operation of the Freedmen's Bureau and the military occupation which as was conceded by the President and all the Republicans at the North must continue for a while longer. The temper of the officers of the army was for the most part excellent, forbearance and decision being shown as each was needed. "We can't undertake to run State Governments in all these Southern States" said Lincoln during the last cabinet meeting at which he presided. "Their people must do that though I reckon that at first they may do it badly."<sup>3</sup>

The higher classes of the South — the former slave-holders — did not hate the negro. They did not believe that he could rise in the scale of civilization nor did they wish him to rise and they were indignant at the mention of a possible political or social equality. But they had towards him a feeling of kindness and even gratitude for his conduct during the war. Under the guid-

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<sup>1</sup> *The Nation*, Jan. 4, 25, 1866, pp. 3, 97.

<sup>2</sup> Florida excepted.

<sup>3</sup> Account of F. W. Seward, who was present as acting Secretary of State because of his father's disability. Life of Seward, vol. iii. p. 275. Henry Ward Beecher said in a sermon October, 1865: "All measures instituted under the act of emancipation for the blacks in order to be permanently useful must have the cordial consent of the wise and good citizens of the South; . . . the kindness of the white man in the South is more important to the negroes than all the policies of the nation put together." — Life by Lyman Abbott, p. 278.

ance of certain leaders they would eventually have conferred upon the coloured people full civil rights; justification for this conclusion is found in a study of the course of events in Georgia.

Herschel V. Johnson, as president of the Georgia convention closed its proceedings with a brief speech (November 8) wherein he spoke for his fellow-citizens. "We are," he said, "now to enter upon the experiment whether" our former slaves "can be organized into efficient and trustworthy laborers. That may be done — or I hope it may be done — if we are left to ourselves. If we cannot succeed others need not attempt it."<sup>1</sup> Judge Jenkins — a man of "universally acknowledged probity and uprightness of character," "respected and venerated" everywhere in the State<sup>2</sup> — the newly elected governor, said in his inaugural address (December 14): "Whilst you strong men were in the tented field, far away from unprotected wives and children the negro cultivated their lands, tended their households and rendered all servile observances as when surrounded by the usual controlling agencies. . . . As the governing class individually and collectively we owe them unbounded kindness, thorough protection. . . . Their rights of person and property should be made perfectly secure. . . . The courts must be opened to them."<sup>3</sup> On February 22, 1866 Alexander H. Stephens — whom the Georgians reverenced<sup>4</sup> — addressed the Georgia legislature at their request. "Ample and full protection," he said, "should be secured to the negroes so that they may stand equal before the law in the possession and enjoyment of all rights of person, liberty and property." Consider "their fidelity in times past. They cultivated your fields, ministered to your personal wants and comforts, nursed and reared your children; and even in the hour of dan-

<sup>1</sup> Andrews, p. 336.

<sup>2</sup> Appleton's Annual Cyclopædia, 1865, p. 399.

<sup>3</sup> Ibid., pp. 242, 325.

<sup>4</sup> Andrews, p. 358.

ger and peril they were, in the main, true to you and yours. To them we owe a debt of gratitude as well as acts of kindness. . . . They are poor, untutored, uninformed, many of them helpless, liable to be imposed upon. Legislation should ever look to the protection of the weak against the strong.”<sup>1</sup>

These utterances were not meant to cajole the North; they were meant to influence the sentiment of Georgia. Stephens’s address was indorsed by the legislature which within less than a month made this enactment: “That persons of color shall have the right to make and enforce contracts, to sue, be sued, to be parties and give evidence, to inherit, to purchase and to have full and equal benefit of all laws and proceedings for the security of person and estate, and shall not be subjected to any other or different punishment, pain or penalty for the commission of any act or offence than such as are prescribed for white persons committing like acts or offences.”<sup>2</sup> On May 26, 1866 Tennessee passed exactly the same law<sup>3</sup> and within the year by gentle pressure from the President and Congress Alabama, North Carolina and Virginia could undoubtedly have been influenced to enact similar legislation after which it would have become general throughout the South.

Had it been possible to leave reconstruction to the officers and soldiers of the Union and Confederate armies, a plan of mercy would have been offered by one side and necessary conditions accepted readily by the other. Grant’s view may be easily inferred from his report on the state of affairs at the South; in April, 1866, he said to Alexander H. Stephens, “The true policy should be to make friends of enemies.”<sup>4</sup> General Sherman supported Johnson’s policy and was not disturbed at the

<sup>1</sup> Johnston and Browne, p. 605.

<sup>2</sup> Stephens’s Testimony, Arkansas, etc., p. 161; Reconstruction of Georgia, Woolley, p. 20.

<sup>3</sup> McPherson, p. 42.

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<sup>4</sup> Johnston and Browne, p. 492.

harsh legislation concerning the freedmen. "When-ever," he wrote, "State legislatures and people oppress the negro they cut their own throats for the negro can-not again be enslaved. Their mistakes will work to the interests of the great Union party."<sup>1</sup> General Thomas said: "The people of Alabama are extremely anxious to be under the Constitution of the United States and to have that State in its regular position in the Union . . . and have attempted to pass laws as judicious as they could at the time to regulate the affairs of the freed-men."<sup>2</sup> "I believe," wrote General Sheridan from New Orleans, "the best thing that Congress or State can do is to legislate as little as possible in reference to the colored man beyond giving him security in his person and property. His social status will be worked out by the logic of the necessity for his labor."<sup>3</sup> We may now add the testimony of General Lee, although when it was given it could not naturally be regarded at the North with the same respect and confidence as now, under the clarifying influence of time's perspective. He affirmed that the people of the South thought that the North could "afford to be generous" and that it was "the best policy."<sup>4</sup> The evidence is ample and comes from various sources that those at the South who submitted with the best grace to the logic of events were the officers and soldiers of the Confederate army.

If the decision had been left to the Southern States themselves qualified negro suffrage even would have been slow in coming although to advanced thinkers the prospect of it was not repugnant. Mallory who had been the Confederate Secretary of the Navy during the whole war wrote to Senator Chandler, "I know many negroes whom I would trust with the ballot and the number

<sup>1</sup> Feb. 23, 1866, Sherman Letters, p. 264; also *ante*.

<sup>2</sup> Testimony, Jan. 30, 1866, Arkansas, etc., p. 26.

<sup>3</sup> Testimony, March 31, 1866, Florida, etc., p. 123.

<sup>4</sup> Testimony, Feb. 17, 1866, Virginia, etc., p. 132.

will steadily increase and they must at no distant day become voters under certain qualifications.”<sup>1</sup> If it should be plain to the State of Virginia, testified General Lee that the negroes would vote “properly and understandingly she might admit them to vote.”<sup>2</sup> “Individually,” declared Alexander H. Stephens, “I should not be opposed to a proper system of restricted or limited suffrage” for the negroes.<sup>3</sup> It is a question whether apart from the negroes in the cities and the towns and the mulattoes everywhere, the coloured men had sufficient comprehension of what the suffrage meant to desire it. There was a world of meaning in the remark of a lame barber at Wilmington to Andrews, “To be sure, sah, we wants to vote, but, sah, de great matter is to git into de witness-box.”<sup>4</sup>

What further affected Northern sentiment was the reports of cruelties practised upon the negroes which were due largely if not wholly to the antipathy of the poor whites. In his speech of December 20, 1865 Sumner made a point of this, speaking of “sickening and heartrending outrages where Human Rights are sacrificed and rebel Barbarism receives a new letter of license.”<sup>5</sup> That affairs of the sort occurred as one of the results of the social revolution was undoubted but on the other hand exaggerated accounts of them were readily believed by those who desired to use them as an argument for a severe policy towards the South.

Another element in the case was the aversion of Southern people to those Northerners who wished to settle in the South to engage in agricultural or mercantile pursuits. The guarded statement of General Lee that the late secessionists would prefer not to associate with Northern men, would probably not “admit them

<sup>1</sup> July 2, 1865, O. R., ser. ii. vol. viii. p. 738.

<sup>2</sup> Testimony, Virginia, etc., p. 134.

<sup>4</sup> The South since the War, p. 189.

<sup>3</sup> Ibid., Arkansas, etc., p. 163.

<sup>5</sup> *Globe*, p. 90.

into their social circles" and might even "avoid them"<sup>1</sup> and the outbreak of "a genteelly dressed woman," "I hate the Yankees with my whole heart"<sup>2</sup> were true indications of the sentiment of the community. Most observers agreed that women and preachers were more violent than others in the expression of their hatred.

The manifestations at the South of confidence in the President<sup>3</sup> and the eagerness with which the Democrats in and out of Congress rushed to his support caused Republicans to view his policy with distrust. To their mind a union of "rebels and copperheads" could bode naught that was good but Johnson was disposed at first to rejoice at this Democratic encouragement. George L. Stearns a friend of the coloured people who had furnished part of the money for the John Brown Harper's Ferry raid,<sup>4</sup> told him that reports were industriously circulated in the Democratic clubs that he was going over to the Democrats. The President jauntily replied, "The Democratic party finds its old position untenable and is coming to ours; if it has come up to our position I am glad of it."<sup>5</sup> But later he seemed to fear that such support might be a Grecian gift. "I think," wrote John Sherman, "he feels what every one must have observed that the people will not trust the party or men who during the war sided with the rebels."<sup>6</sup>

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<sup>1</sup> Testimony, Virginia, etc., p. 132.

<sup>2</sup> Andrews, p. 355. During the war and afterwards Yankees was a common appellation for people of the North.

<sup>3</sup> From a mass of evidence I will cite the expressions of three representative men. Wade Hampton wrote, "It is our duty to support the President so long as he manifests a disposition to restore all our rights as a sovereign State." — Andrews, p. 391. General Lee said, "So far as I know the desire of the people of the South, it is for the restoration of their civil government and they look upon the policy of President Johnson as the one which would most clearly and most surely re-establish it." — Testimony, Feb. 17, 1866, p. 131. A. H. Stephens said in his speech of Feb. 22, 1866, "Our surest hopes . . . are in the restoration policy of the President." — Johnston and Browne, p. 601.

<sup>4</sup> See vol. ii. p. 390.

<sup>5</sup> Interview, Oct. 3, 1865, McPherson, p. 48.

<sup>6</sup> Nov. 10, 1865, Sherman Letters, p. 259.

It was not difficult to convince many Republicans that the acceptance of a plan of reconstruction by the South was positive proof that it was too liberal. Herein lay a manifest mistake of the President's: he had made an offer and secured its acceptance before the predominant partner had agreed to it. Some of the wavering who might have followed the President were swayed by the repeated assertions that the secession and the fight against the Union were crimes and must be expiated. The horrors of Andersonville and other prison pens were exaggerated and used as an argument against mercy and the animosity to Jefferson Davis was exploited to turn men from a policy which seemed to imply that he should not be brought to judgment.

To recapitulate: the assertion by Congress of its prerogative, a disposition on the part of the Southern States to claim rights instead of submitting to conditions, harsh laws of the Southern legislatures concerning the freedmen, denial by them of complete civil rights and qualified suffrage to the negroes, outrages upon the coloured people, Southern hatred of Northerners, Southern and Democratic support of the President — all these influences contributed in varying proportions to the decision of Congress not to adopt Johnson's policy but to construct one of their own. Conspicuous in this work were the Senate Committee on the Judiciary and the Joint Committee on Reconstruction.

Lyman Trumbull chairman of the Judiciary Committee had been since 1855 a member of the Senate, owing his first election to the self-sacrifice and political sagacity of Lincoln.<sup>1</sup> Born in Connecticut (1813) his descent on both sides was from prominent New England families but his parents were obviously poor, for after he had completed his studies at the academy, he was denied a college education. At sixteen therefore he began teach-

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<sup>1</sup> See vol. ii. p. 311.

ing school, and at twenty went to Georgia where he continued his school-teaching, began the study of law and in four years was admitted to the bar. At twenty-four he moved to Illinois, practising his profession and taking part in politics as a Democrat in what was then an excellent school for political training. At the bar Lincoln and Douglas and others, who stood higher as mere men of the law, were his compeers and these two leaders gave an intensity and colour to political life. He was sent to the legislature, elected Secretary of State and gaining eminence as a lawyer was chosen one of the judges of the Supreme Court. After five years' service he resigned although his term still had eight years to run; his record had been good and he was always afterwards known as Judge Trumbull. The repeal of the Missouri Compromise drew him again into politics, this time in earnest, as had been the case with Lincoln, and in the autumn of 1854 he was elected to Congress as an anti-Nebraska Democrat, but before he took his seat, he was, as has been related, chosen United States senator.

In the Senate he became naturally a Republican, and in 1856 had a controversy with Douglas on the Kansas question which elicited from Sumner in a letter to a friend this praise: "Trumbull is a hero and more than a match for Douglas. Illinois in sending him does much to make me forget that she sent Douglas. . . . You can hardly appreciate the ready courage and power with which he grappled with his colleague and throttled him. We are all proud of his work."<sup>1</sup> In ante-bellum days he was a friend of Sumner's and in the winter of 1860–1861 the two sympathized in their opposition to the various compromises which were proposed, but during the war they drifted apart. Trumbull did not share Sumner's devotion to the coloured race and they envisaged other questions differently. Sumner desired to express the Thir-

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<sup>1</sup> Pierce's Sumner, vol. iii. p. 433.

teenth Amendment in French-like phrase but Trumbull preferred to stick to the good old language of the Ordinance of 1787, and such was used in the amendment as reported from the Judiciary Committee. The two were at decided variance on the bill providing for a bust of "the late Chief Justice Taney" to be placed in the Supreme Court room. Sumner objected to such a memorial to "the author of the Dred Scott decision" while Trumbull argued: "Suppose he did make a wrong decision. No man is infallible. He was a great and learned and an able man."<sup>1</sup> A little later in the same session their heated debate on the recognition of the Lincoln government of Louisiana<sup>2</sup> left behind a bitterness which for some years prevented cordial relations.

Trumbull was a student of laborious habits, and almost as great a reader as Sumner, although his choice of books was not the same. In recognition of his political standing Yale College in 1858 conferred upon him the degree of Doctor of Laws. He was a great constitutional lawyer. His speech demonstrating the necessity of the Thirteenth Amendment is an example of his cogent reasoning.<sup>3</sup> Chairman of the Judiciary Committee since the Republicans organized the Senate he was a leading senator during the war. He was always a friend and trusted counsellor of Lincoln and the relations between the two drew closer during the last year of Lincoln's life, Trumbull in February, 1865, speaking warmly on the floor of the Senate for the President's reconstruction policy in Louisiana. Next to Fessenden he was the ablest debater in the Senate but it was the matter of his speech not the manner which gave him influence. He knew what he wanted to say and said it clearly, but his manner was nervous and his voice icy and harsh.

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<sup>1</sup> Feb. 23, 1865. For the sequel see Pierce's Sumner, vol. iv. p. 208; Blaine, vol. i. p. 185.

<sup>2</sup> *Ante*, p. 54.

<sup>3</sup> See vol. iv. p. 473 note 2.

A strong man physically as well as mentally, Trumbull was socially reserved and reticent; his private life was spotless. He was an independent political thinker. We have seen that in 1854 principle with him outweighed party. During the war he was one of the few Republican senators who questioned the justice of the arbitrary arrests made by order of the President and he was the only one who advocated the customary mark of respect for the Chief Justice when it applied to the unpopular Taney.<sup>1</sup>

On January 11, 1866 Trumbull reported from the Judiciary Committee his bill to enlarge the powers of the Freedmen's Bureau which had been established by the act of March 3, 1865 approved by President Lincoln.<sup>2</sup> The arguments of Trumbull and Fessenden will enable us to understand best the necessity and scope of this legislation. Trumbull said:<sup>3</sup> "The Freedmen's Bureau is not intended as a permanent institution. It is only designed to aid these helpless, ignorant, unprotected people — the four million made free by the acts of war and the constitutional amendment — until they can provide for and take care of themselves." He argued that the bill was constitutional and combated the claim that the "rebellious States" had now "all the rights they possessed when they began the war." Moreover it was a war measure. "The war powers of the government," he declared, "do not cease with the dispersion of the rebel armies. It is but a short time since the President issued a proclamation restoring the privilege of the writ of habeas corpus in the loyal States<sup>4</sup> but did

<sup>1</sup> I have drawn this characterization from Biographical Sketches of the Leading Men of Chicago; Nicolay and Hay; Pierce's Sumner; Blaine, Twenty Years of Congress; Arnold's Lincoln; Appleton's Cyclopædia of Biography; *Every Saturday*, March 18, 1871; *The Arena*, March, 1895; Obituary Notice, New York Tribune, June 26, 1896; see also my references to Trumbull in vols. ii., iii., iv.

<sup>2</sup> This bill as passed by both Houses is printed in McPherson, p. 72.

<sup>3</sup> Jan. 19, 1866.

<sup>4</sup> Dec. 1, 1865, McPherson, p. 15.

he restore it in the rebellious States? Certainly not. What authority has he to suspend the privilege of that writ anywhere except in pursuance of the constitutional provision allowing the writ to be suspended ‘when in cases of rebellion or invasion the public safety may require it?’” Touching a much argued constitutional point he took exactly the same ground as had Lincoln.<sup>1</sup> “I have not attempted to discuss the question whether these States are in the Union or out of the Union, and so much has been said upon that subject that I am almost ready to exclaim with one of old ‘I know not whether they are in the body or out of the body; God knoweth.’” Sections seven and eight of the bill were intended to secure civil rights to the freedmen — to give them “equal and exact justice before the law.” “If,” he said, “the people in the rebellious States can be made to understand that it is the fixed and determined policy of the Government that the colored people shall be protected in their civil rights, they themselves will adopt the necessary measures to protect them; and that will dispense with the Freedmen’s Bureau and all other Federal legislation for their protection.” He ended his speech with expressions of generous feeling to the South and of the hope that she would conform loyally and unreservedly to the “existing condition of things.”<sup>2</sup>

Fessenden argued:<sup>3</sup> “Whether you call it the war power or some other power, the power must necessarily exist, from the nature of the case, somewhere, and if anywhere, in us to provide for what was one of the results of the contests in which we have been engaged. All the world would cry shame upon us if we did not. . . . It becomes necessary in the judgment of the bureau to make some amendments in the law and extend its power. . . . Although in some of its details

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<sup>1</sup> See vol. iv. p. 484; *Ante*, p. 135.

<sup>2</sup> Jan. 23.

<sup>2</sup> *Globe*, p. 319 *et seq.*

I might perhaps wish that we could get along without doing what might seem to be offensive in some States . . . yet I am ready to vote for the bill because it is the result of the best thought that a very able committee<sup>1</sup> has brought to bear upon it."

Having argued the constitutionality and urged the necessity of Trumbull's bill Fessenden deemed it incumbent to say something for the Committee on Reconstruction and for Congress in general. "Able senators on both sides of the House," he said, "have chosen in the course of the debate to talk a great deal about the policy of the President and the policy of Congress." The Democrats are "anxious to get up the idea that there is a collision of opinion between the President and Congress. . . . I have not as yet seen the slightest indication of it. . . . The President has done nothing that his friends complain of and his friends in Congress have done nothing that he can complain of. . . . Before taking a step which is perhaps to affect the welfare of the Government in all future time and in acting upon a question that belongs peculiarly to them the united wisdom of the nation as manifested through its agents in Congress deems it a duty to deliberate quietly, calmly and patiently upon what it is best to do. . . . We do not mean to jump at conclusions; we mean to act as fast as we can safely; but we do not mean to be hurried beyond what our judgment dictates as the necessary time for deliberation and for action. . . . I seek not to impose any conditions" upon the South "that either now or at any future time shall have anything in them of the character of degradation. It cannot possibly be supposed for a moment that the people of the Confederate States feel kindly towards us. I should not at once feel kindly towards any enemy who had conquered me and through whom I had suf-

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<sup>1</sup> The committee on the Judiciary were Trumbull, Harris, Clark, Poland, Stewart and Hendricks.

ferred even if I was wrong. Such is human nature. Time is necessary to soften all animosities. Time is necessary to overcome prejudice. . . . It is therefore to be expected that much will occur, and for a considerable period of time, that will occasion still greater animosity, perhaps, that will indicate a state of feeling that may render a perfect reunion apparently impossible; but I trust in God that the time will come and is not far distant when all the States may be properly represented here." I am "averse to doing anything which by any possibility should be construed into putting a stigma upon any people who are to become members of this community of States. . . . I believe and I know that there is patriotism and magnanimity and love of country at both ends of the avenue."<sup>1</sup>

On January 25 the Freedmen's Bureau Bill passed the Senate by 37:10, all the Republicans<sup>2</sup> present voting in the affirmative, the Democrats in the negative. Dixon of Connecticut, Doolittle of Wisconsin and Norton of Minnesota, Republicans who supported the President's policy, concurred with their party associates; Cowan of Pennsylvania, another administration Republican was absent. On February 6 it passed the House by 136:33, a strict party vote with the exception of a Unionist member from Kentucky who voted against the bill. Henry J. Raymond the editor of the *New York Times*, a party and personal friend of Seward, the Republican champion of the President's policy on the floor of the House, gave his voice for the measure.

The President vetoed the bill sending his message to the Senate on February 19. His objections were: it was unnecessary because the original Freedmen's Bureau Act had not yet expired; it was unconstitutional; it was designed for a state of war which no longer existed; it placed more power than ought to be intrusted to any

<sup>1</sup> *Globe*, p. 365 *et seq.*

<sup>2</sup> Otherwise called Unionists.

one man in the hands of the President; it gave the executive an immense patronage; it would entail an enormous expense on the country when "severe retrenchment" should be the rule; and the operation of such an act would coddle the negro to his own detriment. "Another very grave objection" lay in the fact that the bill was passed by a Congress from which eleven States were excluded.<sup>1</sup>

Next day the Senate considered the veto message. Trumbull in a very able speech answered every objection of the President and, in my judgment, demolished his arguments.<sup>2</sup> But he did not prevail upon the Senate. The necessary two-thirds to pass the bill over the veto was not obtained. Cowan, Dixon, Doolittle and Norton voted with the Democrats. Edwin D. Morgan of New York who was a friend of Seward, Van Winkle of West Virginia and Stewart of Nevada who had originally given their voices for the bill, and Willey of West Virginia who had then been absent, all Unionists, now voted to sustain the President, making 18 Nays to 30 Yeas.

On the same day (February 20) the House of Representatives under the leadership of Stevens took part in the quarrel which may be said to have now begun, by adopting a concurrent resolution reported from the Joint Committee on Reconstruction that no senator or representative from the eleven Southern States should be admitted until Congress should have declared such State entitled to representation.<sup>3</sup>

A careful consideration of Johnson's utterances and action may well cause surprise that he did not sign the bill for enlarging the powers of the Freedmen's Bureau.

<sup>1</sup> The veto message is printed in the *Globe*, p. 915; McPherson, p. 68.

<sup>2</sup> *Globe*, p. 936. *The Nation* of March 1 said, "The calmest, most logical and statesmanlike speech of the session was made by Mr. Trumbull in the presence of a crowd boiling with excitement in the gallery."

<sup>3</sup> March 2 the Senate which Dec. 12, 1865 had refused similar action concurred in the resolution.

Every one in the Union party at the North, General Grant<sup>1</sup> and the President included, believed in the absolute necessity for some time of such an institution. Johnson had appointed as its head under the act of March 3, 1865 General Oliver O. Howard,<sup>2</sup> whose knowledge, experience and philanthropy fitted him admirably for the task. "You possess my entire confidence," General Sherman wrote to Howard, "and I cannot imagine that matters that may involve the future of 4,000,000 of souls could be put in more charitable and conscientious hands."<sup>3</sup> Howard's administration was on the whole excellent and he was supported by the President in enforcing "full and ample protection to the freedmen."<sup>4</sup> There were complaints of the under officials by army officers and by Northern and Southern civilians which indicated that there was room for improvement in the personnel of the Bureau; nevertheless experience had demonstrated the advantage of such an institution in the transition state of the South. Trumbull had supposed that his bill harmonized with "the views of the Executive" and the veto caused him "surprise and profound regret";<sup>5</sup> the words of Johnson five days later must have increased the senator's astonishment. He said to General J. D. Cox now governor of Ohio and an intimate friend of Dennison, the Postmaster-General: I am not against the idea of the Bureau in toto; I have used it and am still using it.

<sup>1</sup> Report, McPherson, p. 86.

<sup>2</sup> O. R., vol. xlvii. part iii. p. 477.

<sup>3</sup> May 17, 1865, *ibid.*, p. 515. In this letter Sherman said: "The demand for his labor and his ability to acquire and work land will enable the negro to work out that amount of freedom and political consequence to which he is or may be entitled by natural right and the acquiescence of his fellow-men (white). But I fear that parties will agitate for the negroes' right of suffrage and equal political status not that he asks it or wants it but merely to manufacture that number of available votes for politicians to work on."

<sup>4</sup> Senator Sherman, Feb. 26, 1866, *Globe*, App., p. 127.

<sup>5</sup> Feb. 20, *Globe*, p. 936; see also Trumbull's speech in August, *The Nation*, Aug. 9, p. 101.

It may continue for a period of more than a year yet. Meanwhile I can say to the South "It depends upon yourselves to say whether the Bureau shall be discontinued at an earlier date for I will put an end to it just as soon as you by proper action for the protection of the freedmen make it unnecessary."<sup>1</sup> No one else was so instrumental in defeating Johnson's own aims as was Johnson himself. He earnestly wished the admission to Congress of the senators and representatives from the Southern States and especially of those from his own State. The veto of the Freedmen's Bureau Bill postponed the restoration of the constitutional relations of Tennessee.<sup>2</sup>

The message which he sent to the Senate with this veto was a dignified paper calculated to win support in the country as well as in Congress. It is unusual for an executive to refuse power and patronage and his act of putting them by must have confirmed the universal belief in his patriotism and good intentions. "He occupied a strong position," said the New York *Evening Post*, "to which the whole country was rapidly rallying."<sup>3</sup> This is too positive a statement of public opinion but the tendency was unmistakable.<sup>4</sup> This move-

<sup>1</sup> Interview of Feb. 24 attested by the President, New York *Tribune*, Feb. 27. I have changed the third person to first. In his speech against the veto Trumbull repeated what he had said when introducing the bill that the Bureau was not intended as a "permanent institution." The design of it was to protect the negroes "in their new rights, to find employment for the able-bodied and take care of the suffering." Less than 100,000 freedmen were being provided for. If the Southern States he said will extend "the same civil rights to all inhabitants and protect the negro and mulatto just as well as they protect the white man, there is no necessity and no occasion for the operation of the Freedmen's Bureau." — *Globe*, pp. 936, 937, 940, 943.

<sup>2</sup> See proceedings of Joint Committee on Reconstruction, Feb. 20, Journal; Dewitt, p. 50; *Globe*, p. 944; *The Nation*, March 1, p. 264.

<sup>3</sup> Feb. 23.

<sup>4</sup> "Sumner and Stevens would have made another civil war inevitably," wrote General Sherman to his brother from St. Louis, "and as I am a peace man I go for Johnson and the Veto. . . . Sumner has turned all the Union people South as well as of the West against the party." — Feb. 23, Sherman

ment to his support Johnson repelled by a speech which he made on February 22, wantonly abandoning a desirable vantage-ground. McCulloch fearing that the party breach might be widened begged him not to address the citizens who intended to call upon him that day. "Don't be troubled Mr. Secretary," he replied, "I have not thought of making a speech and I shan't make one. If my friends come to see me I shall thank them and that's all."<sup>1</sup>

A mass-meeting, which had approved his veto and general policy adjourned to the White House to congratulate Johnson in person. The large and enthusiastic crowd excited his itch for public speaking; as he went on his combativeness was aroused; he became intemperate and abusive and threw presidential propriety and dignity to the winds in what was called with felicity an "escapade in the shape of a speech."<sup>2</sup> Proceeding in an egotistical manner with the statements and arguments which had become familiar to the country he attacked the Joint Committee on Reconstruction terming it "an irresponsible central directory" that had assumed "all the powers of Congress,"<sup>3</sup> had taken for

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Letters, p. 263. The general had not probably at this time read a full and correct report of the President's speech of the previous day. On the different versions see Boston *Daily Advertiser*, Feb. 23, 24; New York *Tribune*, Feb. 24, 27. Before the veto a friend of Sumner writing to him from Philadelphia gave this accurate account of popular feeling: "There is a very feverish dread in Boston and I find the same here of any breach with the President. It would be a terrible misfortune at this crisis to have a divided North and especially to have the influence of the President thrown into the Democratic party. . . . If we cannot have all we need, we must take what we can get." — Feb. 12, Pierce's Sumner, vol. iv. p. 274.

<sup>1</sup> Men and Measures, p. 393.

<sup>2</sup> *The Nation*, March 1.

<sup>3</sup> Early in its proceedings this committee sent a sub-committee with Fessenden at its head to wait upon the President. They expressed to him the wish of the committee "to avoid all possible collision or misconstruction between the Executive and Congress in regard to the relative positions of Congress and the President and that they thought it exceedingly desirable that, while this subject was under consideration by the joint committee no further action in regard to reconstruction should be taken by the President, unless it should

granted that the Southern States were out of the Union and had refused to let them in when it had been settled by four years of war that "the States had neither the right nor the power to secede." Apparently stimulated by the sympathy of his audience he degenerated into the manner of a stump-speaker of the border. "I am opposed," he vociferated, "to the Davises, the Toombses, the Slidells . . . but when I perceive on the other hand men still opposed to the Union . . . I am still for the preservation of these States. [Cries from the crowd, "Give us the names!"] . . . I look upon as being opposed to the fundamental principles of this Government and as now laboring to destroy them : Thaddeus Stevens of Pennsylvania, Charles Sumner and Wendell Phillips of Massachusetts. [A voice, "Forney!"<sup>1</sup>] I do not waste my fire on dead ducks. . . . I do not intend to be bullied by my enemies. . . . I know my countrymen that it has been said in high places that if such usurpation of power had been exercised two hundred years ago, in particular reigns, it would have cost an individual his head. What usurpation has Andrew Johnson been guilty of? . . . I have occupied many positions in the government going through both branches of the legislature. Some gentleman here behind me says, 'And was a tailor.' Now that don't affect me in the least. When I was a tailor I always made a close fit and was always punctual to my customers and did good work. [A voice, "No patchwork."] No I did not want any patchwork. . . . Cost him his head! Usurpation!

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become imperatively necessary, and that they thought mutual respect would seem to require mutual forbearance on the part of the Executive and of Congress. To which the President replied substantially, that while he considered it desirable that this matter of reconstruction should be advanced as rapidly as might be consistent with the public interest, still he desired to secure harmony of action between Congress and the Executive, and it was not his intention to do more than had been done for the present." — *Journal, Jan. 9, 1866.*

<sup>1</sup> Secretary of the Senate.

When and where have I been guilty of this? Where is the man in all the positions I have occupied from that of alderman to the Vice-Presidency who can say that Andrew Johnson ever made a pledge that he did not redeem or ever made a promise that he violated or that he acted with falsity to the people!" There have been "innuendoes in high places . . . that the 'presidential obstacle' must be got out of the way, when possibly the intention was to institute assassination. Are those who want to destroy our institutions and change the character of the Government not satisfied with the blood that has been shed? Are they not satisfied with one martyr? Does not the blood of Lincoln appease the vengeance and wrath of the opponents of this Government? . . . Have they not honor and courage enough to effect the removal of the presidential obstacle otherwise than through the hands of the assassin? I am not afraid of assassins."<sup>1</sup>

This speech struck almost the whole North with dismay. Stevens and partisans of his sort may have rejoiced and some Democrats may have gloated over it but all thoughtful men appreciated that the disgrace of the chief magistrate reflected upon the whole country. The bated words, the muffled tone of the press were more significant and impressive than a mass of vituperation. A phase of this detestable affair men talked about in their private intercourse but did not wish to see in print. Nevertheless the President was rebuked for his abuse of Sumner and for imputing to Thaddeus Stevens and to Wendell Phillips a desire for his assassination.<sup>2</sup>

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<sup>1</sup> McPherson, p. 58. The report is that of the *National Intelligencer*. See Blaine, vol. ii. p. 181; Dewitt, p. 50.

<sup>2</sup> New York *Evening Post*, Feb. 23, *Tribune*, Feb. 26, *Nation*, March 1, pp. 257, 262; Boston *Daily Advertiser*, Feb. 24; Sherman's speech, Feb. 26, *Globe*, App., p. 128; Blaine, vol. ii. p. 182; McCulloch, p. 393; Dewitt, p. 53. Contrariwise, New York *Times*, *World*, Feb. 24. One of Sumner's offences was speaking of Johnson's communication of Dec. 18, 1865 as like a "white-washing message of Franklin Pierce," *Globe*, p. 79. But here public senti-

Still the main body of Republicans in Congress were forbearing and stretched forth their hands to the President in the hope of finding common ground of action. An effort to harmonize differences emanating from Ohio had undoubtedly the support of Postmaster-General Dennison, a man of ability and common sense who from the inner councils of the cabinet could well see whither things were tending. Governor J. D. Cox came on to Washington, had an interview with the President (February 24) and wrote a letter giving an account of it which, after having been attested by Johnson, he read to the Ohio members of Congress. Explaining his course in moderate language and a conciliatory tone the President said at the end of his talk: My whole heart is with the body of true men who have carried the country through the war; I earnestly desire to maintain a cordial and perfect understanding with them. This sentiment and purpose I regard as entirely consistent with determined opposition to the obstruction policy of those extremists, who, I believe, will keep the country in chaos until absolute ruin may come upon us. "If you could meet his straightforward, honest look," concluded Governor Cox, "and hear the hearty tone of his voice, as I did, I am well assured you would believe with me that, although he may not receive personal assaults with the equanimity and forbearance Mr. Lincoln used to show, there is no need to fear that Andrew Johnson is not hearty and sincere in his adhesion to the principles upon which he was elected."<sup>1</sup>

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ment had been on the side of the President, Pierce's *Sumner*, vol. iv. p. 272; *New York Nation*, Dec. 28, 1865, p. 806; *New York Tribune*, Feb. 26, 1866. Stevens, Jan. 31, referring to an authorized utterance of Johnson (interview with Dixon, McPherson, p. 51) which he called a command declared that "centuries ago had it been made to Parliament by a British king it would have cost him his head." — *Globe*, p. 536. Wendell Phillips had spoken of the incumbent of the presidential chair as an "obstacle to be removed." *New York Times*, Feb. 24.

<sup>1</sup> *New York Tribune*, Feb. 27. I have changed Johnson's words from third person to first. J. D. Cox wrote me Jan. 16, 1893, "I was intimate

Two days after this interview in a notable speech in the Senate which undoubtedly expressed the views of the moderate Republicans in Congress, John Sherman held out the olive branch to the President. Reciting the several steps in reconstruction, he made a powerful defence of Johnson's action. He had, said the senator, adopted Lincoln's policy and "the main features of the Wade and Davis bill." Up to the recent veto message his plan "met the approval of the Cabinet of Abraham Lincoln. He has executed every law passed by Congress and especially has he executed the Freedman's Bureau Bill" (of March 3, 1865). The principal objection to his policy was that he did not extend his invitation to vote to coloured as well as to white men. But this objection is unreasonable when all the Northern States but six deny the negro the suffrage and since until this session the proposition has not been seriously mooted to confer the suffrage on the coloured men of the District of Columbia where Congress has absolute authority. Although the senator had voted for the Freedmen's Bureau Bill both before and after the veto it was his judgment that including the veto message Johnson had done nothing "inconsistent with the high obligations he owed to the great Union party." But "I do most deeply regret his speech of the 22d of February. I think there is no true friend of Andrew Johnson who would not be willing to wipe out that speech from the pages of history. It is impossible to conceive a more humiliating spectacle than the President of the United States invoking the wild passions of a mob around him with the utterance of such sentiments as he uttered on that day." In conclusion Sherman said: "Now is no time to quarrel with the Chief Magistrate. . . . I will not denounce him for hasty words uttered in repelling

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with Governor Dennison and was myself party to efforts that were made to keep Johnson from entirely breaking with the party."

personal affronts. I see him yet surrounded by the Cabinet of Abraham Lincoln pursuing his policy. No word from me shall drive him into political fellowship with those who, when he was one of the moral heroes of this war denounced him. . . . The association must be self-sought and even then I will part with him in sorrow.”<sup>1</sup>

On the same day (January 11) that he laid before the Senate his measure to enlarge the powers of the Freedmen’s Bureau, Trumbull reported from the same committee his Civil Rights Bill, which he regarded as the most important measure proposed for the consideration of the Senate since the Thirteenth Amendment. “That amendment,” he said (January 29), “declared that all persons in the United States should be free. This measure is intended to give effect to that declaration and to secure to all persons practical freedom.” Of what avail, he asked, is the Thirteenth Amendment “if in the late slaveholding States laws are to be enacted and enforced depriving persons of African descent of privileges which are essential to freemen?” The legislatures of the Southern States have by law discriminated against the negroes. “They deny them certain rights and subject them to severe penalties. . . . Although they do not make a man an absolute slave they yet deprive him of the rights of a freeman; and it is perhaps difficult to draw the precise line to say where freedom ceases and slavery begins but a law that does not allow a colored person to go from one county to another, and one that does not allow him to hold property, to teach, to preach, are certainly laws in violation of the rights of a freeman. . . . The purpose of this bill is to destroy all these discriminations and to carry into effect the constitutional amendment;” it

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<sup>1</sup> *Globe*, App., p. 124 *et seq.* For other salient points of the speech see Dewitt, p. 54.

is to give the negro "the right to acquire property, to go and come at pleasure, to enforce rights in the courts, to make contracts, and to inherit and dispose of property." The constitutional warrant for the bill was the second section of the Thirteenth Amendment, "Congress shall have power to enforce this article [abolishing slavery] by appropriate legislation." The machinery for its enforcement was drawn from the Fugitive Slave Law of 1850. "Surely," declared Trumbull, "we have the authority to enact a law as efficient in the interests of freedom as we had in the interests of slavery."<sup>1</sup>

On February 2 the Senate passed the Civil Rights Bill by 33 : 12. Dixon, Morgan and Willey voted for it, Cowan, Norton and Van Winkle and all the Democrats against it. Doolittle was absent. March 13 the House passed it by 111 : 38:<sup>2</sup> the name of Raymond is in the list of those "not voting."<sup>3</sup>

Here was another chance for Johnson to rehabilitate himself — by approving this bill which had more friends and a more unswerving support than the one to enlarge the powers of the Freedmen's Bureau. In the early part of the session, Trumbull — with "an anxious desire to sustain the President for whom he had always entertained the highest respect" — had had frequent interviews with

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<sup>1</sup> *Globe*, p. 474 *et seq.*

<sup>2</sup> With some amendments, not affecting the main intent of the bill, which were concurred in by the Senate.

<sup>3</sup> The first section of this act which Trumbull said "is the basis of the whole bill" is: "All persons born in the United States and not subject to any foreign Power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, shall have the same right in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties and to none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding."

him the result of which enforced by his own belief of what was required by the state of the country both North and South, had been this bill (the Civil Rights) as a necessary security for the freedmen. After it was introduced and printed the President was furnished with a copy and, while it was pending in the House and the report ran that he hesitated about signing the Freedmen's Bureau Bill, the hope was expressed to him that if he had objections to any of the provisions of the Civil Rights measure he would make them known to its friends, that if not destructive of the bill, they might be remedied. "He never indicated to me," declared Trumbull, "nor so far as I know to any of its friends, the least objection to any of the provisions of the bill till after its passage. And how could he consistently with himself? The bill was framed, as was supposed, in entire harmony with his views and certainly in harmony with what he was then and has since been doing in protecting freedmen in their civil rights all through the rebellious States."<sup>1</sup>

Was it with the malignant purpose of goading the President to a veto and thus preventing the attempted reconciliation that Stevens made in the House his sarcastic reference to the February 22 speech and had read from a Democratic journal of March 7, 1865, a "disgusting piece of billingsgate" about Vice-President Johnson? His remarks may have been effective in widening the breach, but on account of his obtrusive disrespect to the President they were read by thoughtful men with "smiles that might as well be tears."<sup>2</sup>

"Johnson," wrote John Sherman afterwards in a private letter, "is insincere; he has deceived and misled his best friends. I know he led many to believe he would agree to the Civil Rights Bill."<sup>3</sup> On March 17 he declared in a

<sup>1</sup> April 4, *Globe*, p. 1760.

<sup>2</sup> March 10, *ibid.*, p. 1308; *The Nation*, March 15, p. 321.

<sup>3</sup> July 8, *Sherman Letters*, p. 276.

speech at Bridgeport (Conn.), "I believe the President will sign it."<sup>1</sup> But on his return to Washington his confidence abated. "Johnson is suspicious of every one," he said, "and I fear will drift into his old party relations."<sup>2</sup>

Governor Oliver P. Morton on his return from Europe, whether he had gone to be treated for paralysis, hastened to Washington and begged the President to sign the bill, urging that otherwise the rent between him and his party would be beyond mending.<sup>3</sup>

Four members of the cabinet three of whom were lawyers opposed the projected veto.<sup>4</sup> "Stanton reviewed at length the bill section by section, in the cabinet and pronounced it an excellent and safe bill every way from beginning to end."<sup>5</sup>

The President regretfully vetoed the bill, sending to the Senate March 27 a message remarkable for its moderation and careful reasoning.<sup>6</sup> He objected to the measure because it conferred citizenship on the negroes when eleven out of thirty-six States were unrepresented and attempted to fix by Federal law "a perfect equality of the white and black races in every State of the Union." It was an invasion by Federal authority of the rights of the States; it had no warrant in the Constitution and was contrary to all precedents. It was a "stride toward centralization and the concentration of all legislative power in the national government."

<sup>1</sup> J. Sherman's Recollections, vol. i. p. 369.

<sup>2</sup> March 20, Sherman Letters, p. 269. The exact date has been kindly supplied me by Mrs. Thorndike.

<sup>3</sup> Life of Morton, Foulke, vol. i. p. 466.

<sup>4</sup> Stanton, Harlan, Dennison, Speed; Seward, McCulloch and Welles sustained the President.

<sup>5</sup> Sumner, April 3, Pierce, vol. iv. p. 276; letter of Stanton, Dec. 12, 1867, Gorham's Stanton, vol. ii. p. 420.

<sup>6</sup> McCulloch writes, "It was strong in argument and admirable in spirit. Who assisted him in the preparation of it I do not know; but he must have had assistance, for it exhibited a higher order of legal ability than he possessed."—Men and Measures, p. 406.

It would frustrate the adjustment between capital and the new labour and would tend "to foment discord between the two races."<sup>1</sup>

On April 4 when the Senate considered the veto message, Trumbull answered conclusively every objection of the President and made an irrefragable argument in favour of his bill.<sup>2</sup> Apart from his main contention he made two effective personal points. Andrew Johnson as President objected to the machinery for the enforcement of the Civil Rights Bill but as representative had voted for the same provisions in the Fugitive Slave Law of 1850. Senator Andrew Johnson had lectured President Buchanan on the occasion of the veto of his Homestead Bill in words now eminently applicable to himself: "The President of the United States *presumes* — yes sir I say *presumes* — to dictate to the American people and to the two Houses of Congress in violation of the spirit, if not the letter, of the Constitution that this measure shall not become a law. . . . I ask is there any difference in the spirit of the Constitution whether a measure is sanctioned by a two-thirds vote before its passage or afterward?"<sup>3</sup>

Doubt and excitement attended the vote in the Senate. Could the necessary two-thirds, which had failed the Republicans for the Freedmen's Bureau Bill, be secured? "It is still uncertain," wrote Sumner on April 3 to the Duchess of Argyll, "if we can command this large vote; the division will be very close."<sup>4</sup> Cowan, Dixon, Doolittle, Norton and Van Winkle could be counted on by the President. Solomon Foot (Repub-

<sup>1</sup> The message is printed in the *Globe*, p. 1679; McPherson, p. 74.

<sup>2</sup> The constitutional aspect is well discussed by Dunning, p. 92.

<sup>3</sup> *Globe*, p. 1760. June 22, 1860 Buchanan vetoed the Homestead Bill, which was Johnson's own measure. The Senate failed to pass it over the veto. "An act to secure Homesteads to actual settlers on the Public Domain" was approved May 20, 1862. The Civil Rights Bill had passed both Houses by more than a two-thirds vote.

<sup>4</sup> Pierce's Sumner, vol. iv. p. 275.

lican) of Vermont, the Father of the Senate who had continually acted with his party lay on his death-bed. Morgan was inclined to be friendly to the administration and Willey was doubtful. With questionable justice and propriety, although Fessenden had favoured the action, the majority on technical grounds had unseated Stockton a Democratic senator from New Jersey who had voted against the bill.<sup>1</sup> Wright his colleague, also a Democrat, was ill at his home. Stewart of Nevada about whom there had been some uncertainty stated on April 5 that he had given his voice originally for the measure and had seen no good reason to change his opinion. Wright had been brought to Washington by his son and could go out in the daytime although to repair to the Capitol in the evening would have been attended with danger. Foot died and the governor of Vermont at once filled the vacancy by the appointment of George F. Edmunds who on April 5 took his seat in the Senate. On the day of the vote (April 6) every senator was present but Dixon who was kept away by illness. During the concluding debate the disaffection of Lane of Kansas to the Republican majority was disclosed, and the result was still in doubt when the President *pro tempore* put the question, "Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?" Lane, it is said, was perplexed up to the last moment but he voted against the bill. When Morgan said aye, the galleries resounded with applause. Suspense still remained until Willey's name was called and recorded on the side of the majority. The requisite number had been obtained. The vote stood 33 : 15, all the Democrats and Cowan, Doolittle, Lane, Norton and Van Winkle giving their voices in the negative. The opponents of the President had no

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<sup>1</sup> Interesting accounts of this action from different points of view are given by Blaine, vol. ii. p. 154, and Dewitt, p. 67.

margin to spare. Had Morgan or Stewart or Willey separated himself from his party or had Stockton not been unseated the veto would have been sustained as Dixon would have been carried into the Senate could his vote have secured that result.<sup>1</sup>

The House, about whose action there was no doubt, passed the bill over the veto (April 9) by 122 : 41 the noes coming from 34 Democrats and 7 Unionists among whom was Raymond.<sup>2</sup> Colfax the speaker, whose vote of aye received applause,<sup>3</sup> announced the result and said: "Two-thirds of the House having upon this reconsideration agreed to the passage of this bill, and it being certified officially that a similar majority of the Senate, in which the bill originated, also agreed to its passage, I do therefore, by the authority of the Constitution of the United States declare that" this Civil Rights Bill "has become a law." On this announcement there ensued from the galleries and the floor of the House hearty and long-continued applause.<sup>4</sup>

The passage of this bill over the President's veto was indeed a momentous event, not only because, in view of Johnson's character, it rendered the breach between him and Congress complete but also for the reason that it opened a new chapter in constitutional practice. Since Washington there had been many vetoes but never until now had Congress passed over the President's veto a measure of importance; and this measure was one over which feeling in Congress and the country had been wrought up to the highest tension.<sup>5</sup>

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<sup>1</sup> My main authority for this account is the *Globe*, but I have been helped much by Dewitt and Blaine.

<sup>2</sup> The classification of McPherson, p. 81.

<sup>3</sup> It being unusual for the speaker to vote unless the contest was close.

<sup>4</sup> *Globe*, p. 1861.

<sup>5</sup> One unimportant bill was passed over Tyler's veto, five over Pierce's. The case under Tyler has historical importance as being the first action of the kind. Those of Pierce's were vetoes of bills for the improvement of rivers. See Veto Messages (1886); Dewitt, p. 84; Schouler, vol. iv. p. 491; vol. v. p. 364.

Johnson's fall from December 5, 1865 when he sent his message to Congress to the April day on which the Senate passed the Civil Rights Bill over his veto was great and may be accounted for by the defects of his character and especially by his lack of political sense. On him the whole history of England and the United States, of government by discussion and compromise was lost. Blaine constructed with considerable ingenuity the theory that Johnson originally adopted his policy largely through the influence of his Secretary of State<sup>1</sup> but here as elsewhere in his interesting but inaccurate history he furnishes no authority for his statements. We may guess that he revived an impression prevailing among senators and members of Congress during the session of 1865-1866;<sup>2</sup> but the biographers of Seward have shown his hypothesis to be highly improbable.<sup>3</sup> Although after the veto of the Civil Rights Bill Sumner wrote privately, "Seward is the marplot"<sup>4</sup> it is not necessary to seek any occult influence determining Johnson to his policy and to his persistence in it. Inheriting it from Lincoln and harking back to the States'-rights doctrine of a Southern Democrat he gave to it a stiff and unyielding character such as would have been impossible for a Northern Whig.<sup>5</sup> While leniency and kindness were attractive to Seward, Johnson was the more positive man of the two and in their counsels the predominance was undoubtedly his rather than Seward's. The documents show that during the summer and autumn the Secretary was in full sympathy with his chief but he never could have counselled Johnson to a course certain

<sup>1</sup> Vol. ii. p. 63 *et seq.*

<sup>2</sup> Blaine was a representative from Maine.

<sup>3</sup> Lothrop, p. 414; Bancroft, vol. ii. p. 447, note; see also Johnson and Congress, Chadsey, p. 33, note 2.

<sup>4</sup> Pierce, vol. iv. p. 276. See also interview with Seward by Professor Charles Eliot Norton and E. L. Godkin, Bancroft, vol. ii. p. 455, note.

<sup>5</sup> General Grant "thought the plan the child of Johnson's own brain."—Lothrop's Seward, p. 414.

to involve a rupture between him and his party in Congress and the country. Seward was not only not quarrelsome but he was a compromiser; and the opportunities were many for a compromise between the President and Congress.<sup>1</sup> Despite their political differences Sumner remained on cordial, personal terms with Seward and as chairman of the Committee on Foreign Relations saw the Secretary almost daily on public business.<sup>2</sup> His mature explanation "how the President fell" is worthy therefore of more attention than if he had been merely a partisan senator. "Mr. Seward," he declared, "openly confesses that he counselled the present fatal 'policy.' Unquestionably the Blairs, father and son did the same. So also I doubt not did Mr. Preston King."<sup>3</sup> To these influences must be added the flattery of Johnson by Southern men, many of them from the patrician class, which he had formerly reviled, and the wooing of Northern Democrats eager to regain place and power.

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<sup>1</sup> Referring to the late autumn and early winter of 1865, Blaine writes: "It is well known that, to those who were on intimate terms with him, Seward expressed a sorrowful surprise that the South should respond with so ill a grace to the liberal and magnanimous tenders of sympathy and friendship from the National Administration. . . . There are good reasons for believing that he desired some modification of the President's policy. . . . The moderation in language and the general conservatism which distinguished the message [Dec. 5] were perhaps justly attributed to Seward. . . . He now worked most earnestly to bring about an accommodation between the Administration and Congress." — Vol. ii. pp. 107, 115. All this is plausible but it is unsupported by evidence. I have found nothing in Seward's Memoir by his son, in Bancroft or in Lothrop confirming this view. The private correspondence in the Memoir relating to this subject is meagre. During January, 1866, Seward was absent on a voyage to the West Indies. The difference between Seward's and Johnson's attitude is well exhibited by a contrast of their two speeches of Feb. 22. See Seward's Works, vol. v. p. 529.

<sup>2</sup> Pierce, vol. iv. p. 295.

<sup>3</sup> Oct. 2, 1866, Works, vol. xi. p. 19. Regarding the influence of Francis P. and Montgomery Blair and King see Pierce, vol. iv. pp. 230, 250. King had been senator from New York, his term expiring March 4, 1863. Johnson appointed him Collector of the Port of New York City. In November, 1865 he committed suicide; see Blaine, vol. ii. p. 186. He was a friend of Seward; see my vol. iv. p. 204.

"But," as Sumner shrewdly said, "the President himself is his own worst counsellor, as he is his own worst defender."<sup>1</sup> Johnson acted in accordance with his nature. He had intellectual force but it worked in a groove. Obstinate rather than firm it undoubtedly seemed to him that following counsel and making concessions were a display of weakness. At all events from his December message to the veto of the Civil Rights Bill he yielded not a jot to Congress. The moderate senators and representatives (who constituted a majority of the Union party) asked him for only a slight compromise; their action was really an entreaty that he would unite with them to preserve Congress and the country from the policy of the radicals. The two projects which Johnson had most at heart were the speedy admission of the Southern senators and representatives to Congress and the relegation of the question of negro suffrage to the States themselves. Himself shrinking from the imposition on these communities of the franchise for the coloured people, his unyielding disposition in regard to matters involving no vital principle did much to bring it about. His quarrel with Congress prevented the readmission into the Union on generous terms of the members of the late Confederacy; and for the quarrel and its unhappy results Johnson's lack of imagination and his inordinate sensitiveness to political gadflies were largely responsible: it was not a contest in which fundamentals were involved. He sacrificed two important objects to petty considerations. His pride of opinion, his desire to beat, blinded him to the real welfare of the South and of the whole country.

Johnson by implication opposed the doctrine of States' rights to the two bills on which he disagreed with Congress but this argument to be effective involved the assumption that in the winter of 1866 South Carolina

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<sup>1</sup> *L. C.*

possessed the same rights as Massachusetts, Virginia the same as New York, the mere statement of which was its refutation in the mind of any Republican. His own executive action, his military sway in that part of the country typified the difference in the practical relations of the two sections to the national government. He himself imposed conditions but objected to the imposition by Congress of other conditions, even so reasonable as those contained in the Civil Rights Bill which for example would have no effect in Georgia as that State had enacted substantially the same legislation.<sup>1</sup> In short he insisted on doing things exactly in his own way and no other ; he thought that his wisdom was superior to the collective wisdom of Congress; he had brought forward a policy ; Congress and the country should swallow it whole. It was dogmatism run mad. But what else could have been expected of a man who on the occasion of being sworn in as President said formally and solemnly : “ Toil and the honest advocacy of the great principles of free government have been my lot. The duties have been mine — the consequences are God’s.”<sup>2</sup>

<sup>1</sup> *Ante*, p. 561 ; Senator Stewart, April 5, *Globe*, p. 1785.

<sup>2</sup> In his Cooper Institute speech of Feb. 22 Seward, although making a directly opposite application, illustrated Johnson’s attitude toward Congress between December and April by reference to a play, “The Nervous Man and the Man of Nerve.” Two men friends for life had arranged a marriage between the son of one and the daughter of the other who, they thought, had never met but who had indeed casually come together and fallen deeply in love. The project was imparted by each parent to each of the children with a great show of mystery. The lady was lovable, the man prepossessing, but they must not meet, the name of the future spouse must not be known until the day of the wedding. In despair at these commands the lovers ran away and were married. Each father knowing naught but that his child had made a clandestine marriage was furious. In the next scene came the pair asking forgiveness: to the parents’ surprise the runaway match was exactly the one they had planned. The man of nerve accepted the situation with good humour ; the nervous man had another outburst of passion. “ Well now old friend,” said the first, “ have you not got the matter all your own way after all ? ” “ Yes,” replied the other, “ I have got it all my own way, but I haven’t had my own way of having it.” — Seward’s Works, vol. v. p. 531 ; Life of Seward, vol. iii. p. 321.

While Trumbull and the Judiciary Committees of the Senate and the House were working on their two important bills the Joint Committee on Reconstruction under the leadership of Fessenden and Stevens were devising a plan. Stevens lacked constructive ability which Fessenden possessed in an eminent degree. In the work of this committee the hand of the Maine senator is as plainly discernible as was that of Trumbull in the legislation which we have just considered.

William Pitt Fessenden was born in New Hampshire in 1806 and at his christening in the Episcopal church Daniel Webster stood godfather. In 1852 at the time of his ardent desire for the Whig presidential nomination, Webster complained that the son of his old friend, for whom he had ridden twenty miles over the snow on a cold winter day to make baptismal vows, voted steadily in the convention for another candidate.<sup>1</sup> Fessenden was precocious as a student and before attaining the age of seventeen was graduated from Bowdoin College. He studied law, was admitted to the bar of Maine and, after trying his fortune in Bridgeton and Bangor, established himself permanently in Portland, where he achieved a high standing in his profession to which he devoted himself with passion. His arguments impressed the judge and yet were perfectly clear to the jury; they were direct and concise, rarely exceeding three-quarters of an hour in length. He argued cases in the United States Supreme Court and had the honour of making an argument which contributed to the reversal of a decision of Justice Story. He served with usefulness many terms in the legislature of his State. In 1837 he had a rare experience. On a political journey to the West Webster desired his company and during their visit to Kentucky presented him to Clay and others as

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<sup>1</sup> Fessenden gave his vote for Scott in compliance with the will of his State in opposition to his personal feeling.

his protégé. The warm and generous hospitality, for which the people of this State were famed, made a lasting impression on him. To Webster he had looked up as his political leader and instructor; he now fell under the charm of Clay and afterwards divided his allegiance between the two great statesmen and rivals. He sat in the House of Representatives for the session beginning December, 1841, and at that time, when his health was robust and his manner always "bright and genial," "he was an especial favorite of Clay and the Kentucky delegation of both Houses," who were gratified at the sympathy between them and the member from the distant Northeast.<sup>1</sup>

His great fame was made in the Senate. Taking his seat on February 23, 1854, he attacked the Kansas-Nebraska Bill only a week later and won a national reputation. "We felt," said Sumner, "that a champion had come." Made chairman of the Finance Committee when the Republicans organized the Senate, he was an efficient support to Chase although he had the wisdom to oppose the legal-tender act. "All that our best generals were in arms," declared Sumner, "he was in the financial field." Master of a clear, incisive style, an adept at putting pregnant matter into few words, possessed of an effective wit and power of sarcasm, he was the ablest debater in the Senate. "As a debater," said Trumbull, "engaged in the current business of legislation the Senate has not had his equal in my time." The story has been told<sup>2</sup> how his sense of duty constrained him to leave this his proper arena to take up the burden of an almost bankrupt Treasury. "At whatever risk of health or reputation," he said in a private letter, "I am compelled to accept. I dare not take the responsibility of declining at such a crisis."<sup>3</sup> After twenty-four days

<sup>1</sup> Garret Davis.

<sup>2</sup> Vol. iv. p. 480.

<sup>3</sup> Address of Representative Lynch, Memorial Addresses, p. 62.

of office he wrote thus to his warm friend, Senator Grimes : " Things . . . are quite bad enough to appal any but a man desperate as I am. I cannot commit to paper all I would say. If my bodily condition was better, perhaps I might work with more heart and energy ; but I am run down with fatigue, retiring exhausted, and rising little refreshed — a poor state for such work as I have to do. But it must be done and I *will* do it somehow."<sup>1</sup>

Fessenden was free from vanity. He never courted popularity ; he hated incompetence, shams and demagogism. Of high physical and moral courage he was in 1866 grave, reserved even austere ; his bearing was dignified and aristocratic which often led people to think him cold and proud. Whist, b  zique and novels were his favourite recreations as ill health after 1857 caused him to withdraw almost entirely from general society yet in a small circle of friends the geniality of old came to the top. He was, in the words Senator Williams quoted,

"Lofty and sour to them that loved him not,  
But to those men that sought him sweet as summer."

While in the practice of law he was a close student and reader of serious books. In 1858 his own college and in 1864 Harvard conferred upon him the degree of Doctor of Laws.

He was of a high-strung nature, nervous and irascible, and this weakness was increased by an irritating disease. It seemed almost a virtue when he vented his wrath against contractors and placemen who tried to cheat the government ; but in the excitement of debate he sometimes employed his keen satire against his brother senators. A sneer at " practical business knowledge " elicited the retort from Chandler, " The senator from Maine has

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<sup>1</sup> Life of Grimes, p. 265 ; *ante*, p. 234. Fessenden served as Secretary of Treasury from July, 1864, to March, 1865, when he returned again to the Senate, having been elected for a full term.

lectured this body about enough, not only on practical knowledge but about its business and general conduct." <sup>1</sup> The next day, during the debate on the same subject, he had a bitter personal controversy with Sumner, which with later encounters prevented cordial relations between the two for a number of years.<sup>2</sup> Trumbull once said to his face in the Senate that his "ill temper had left him no friends."<sup>3</sup> But the eulogies of him by Sumner and Trumbull disclosed that in such a life as his these were but venial slips. "If sparkles fell where they should not have fallen," said Sumner, "they cannot be remembered now." We had unpleasant controversies — are the words of Trumbull, but "he was my friend"; he was the senator to whom I oftenest "went for counsel."

All the eulogists of Fessenden testify to his high character; they have seemed to feel they could never say enough of his honesty and straightforwardness. Gauge him by the exactest standard, by the most lofty ideal of these virtues, either in public or private life, in America or England, and he will not be found wanting.<sup>4</sup>

On January 31 Stevens reported to the House from the committee a proposed constitutional amendment which

<sup>1</sup> April 26, 1864, *Globe*, p. 1873.

<sup>2</sup> *Ibid.*, p. 1896; Pierce's Sumner, vol. iv. p. 190.

<sup>3</sup> Lincoln's statement; see my vol. iv. p. 481. These exact words are not printed in the *Globe* but their sense is substantially indicated in the report of the acrimonious colloquy between Fessenden and Trumbull, June 18, 1864, p. 3076.

<sup>4</sup> I have drawn this characterization from the article of George H. Preble in the New England Historical and Genealogical Register, April, 1871, p. 108; the Memorial Addresses in the Senate and House, Dec. 14, 1869; Pierce's Sumner; Blaine's Twenty Years of Congress; Appleton's Cyclopaedia of Biography; *The Nation*, Sept. 9, 16, 1869; my references in vols. ii. and iv. The case referred to in the Supreme Court was *Veazie vs. Williams*, 8 Howard 134, a reversal of Justice Story's decision in the Circuit Court of Maine. Webster was associated with Fessenden. Blaine terms Fessenden, "one of the ablest lawyers, if not indeed the very ablest that has sat in the Senate since Mr. Webster." — Vol. ii. p. 379.

"provided, That whenever the elective franchise shall be denied or abridged in any State on account of race or color, all persons therein of such race or color shall be excluded from the basis of representation." This passed the House by 120:46 which was more than the necessary two-thirds.

It was defeated in the Senate (March 9), the vote standing 25:22 which was considerably short of the requirement. Sumner made one speech of four hours against it and spoke twice afterwards, the gist of his objection being that the amendment was unjust to the negroes who ought to be given the ballot, impartially with the whites for their protection. His opposition which was instrumental in defeating it nettled Fessenden who had charge of the measure and he vented upon Sumner the full power of his sarcasm, holding him up to ridicule by fastening upon his turgid rhetoric; but Sumner replied courteously and with good temper.<sup>1</sup> The noes were nine Democrats, six Johnson Republicans, two moderates (Stewart and Willey) and five radicals. Sumner fell under the objurgation of his brother radical, Stevens, who declared that the amendment "was slaughtered by a puerile and pedantic criticism, by a perversion of philological definition" and the "united forces of self-righteous Republicans and unrighteous Copperheads."<sup>2</sup> These divisions among his opponents afforded the President a rare opportunity which would have been promptly seized by one gifted with political sense and willing to concede a little for the sake of gaining much.

On May 10 the House adopted by 128:37 a joint resolution proposing an amendment to the Constitution which had been reported by Stevens from the Joint Committee

<sup>1</sup> *Globe*, p. 1278 *ante et seq.*; Pierce's Sumner, vol. iv. p. 278.

<sup>2</sup> *Globe*, p. 2459. Grimes wrote May 8: "It is the usual wrangle and jangle in Congress. Thaddeus Stevens attacked Summer to-day." — Life of Grimes, Salter, p. 292.

on Reconstruction and which was the nucleus of the Fourteenth Amendment. Raymond's response of "Aye" was greeted with applause on the floor and in the galleries.<sup>1</sup> The eighteen votes more than the required two-thirds, the six more "yeas" and four less "nays" than the Civil Rights Bill had received indicated that Congress was gaining ground in its conflict with the President.<sup>2</sup>

In the Senate this measure underwent modification. The most important change was the striking out by a unanimous vote<sup>3</sup> of the section which disfranchised "all persons who voluntarily adhered to the late insurrection until July 4, 1870"—against which the formidable opposition in the House had been unable to declare itself owing to the arbitrary leadership of Stevens and the operation of the previous question<sup>4</sup>—and the substitution therefor by 42:1 of a section which omitted disfranchisement but rendered a large class of men ineligible to office.<sup>5</sup> The constitutional amendment, which is the Fourteenth, then passed the Senate (June 8) by a vote of 33:11, the nays being four Johnson Republicans and seven Democrats.<sup>6</sup> Sumner and three other radicals<sup>7</sup> who had in March voted against a measure similar<sup>8</sup> to the section of this amendment which provided a basis of representation now gave their voices with the party majority. The House adopted the Senate amendment (June 13), by a vote of 120:32, all the yeas were Republicans including Raymond, all the nays Democrats.<sup>9</sup> Congress had enacted the Fourteenth Amendment: its ratification by three-

<sup>1</sup> *Globe*, p. 2545.

<sup>2</sup> See *The Nation*, May 15, p. 610.

<sup>3</sup> *Globe*, May 29, p. 2869.

<sup>4</sup> *Ibid.*, pp. 2542-2545; *The Nation*, *l. c.*; Dewitt, p. 94.

<sup>5</sup> June 8, *Globe*, p. 3042. This is sec. 3 as printed *post*.

<sup>6</sup> *Ibid.*

<sup>7</sup> Brown was absent.

<sup>8</sup> But see the distinction drawn by Storey, *Life of Sumner*, p. 317.

<sup>9</sup> Not voting, 32. There were many pairs, *Globe*, p. 3149; McPherson, p. 102.

fourths of the legislatures of the several States would make it part of the Constitution.<sup>1</sup>

The action of Congress in regard to Tennessee evidenced the terms on which members of the late Confederacy might be admitted to the rights and privileges of States of the Union. Whereas the joint resolution of Congress specified, the people of Tennessee "by a large popular vote" have ratified a constitution abolishing slavery and have declared the ordinance of secession

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<sup>1</sup> The following is the Fourteenth Amendment: " SEC. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law nor deny to any person within its jurisdiction the equal protection of the laws.

" SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

" SEC. 3. No person shall be a Senator, or Representative in Congress, or elector of President and Vice-President or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

" SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims, shall be held illegal and void.

" SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

and war debt void ; and whereas their State government has ratified the Thirteenth and Fourteenth Amendments "and has done other acts proclaiming and denoting loyalty" <sup>1</sup> therefore "be it resolved . . . that the State of Tennessee is hereby restored to her former practical relations to the Union and is again entitled to be represented by senators and representatives in Congress." On July 24 the President approved the joint resolution protesting against some of the statements in the preamble.<sup>2</sup> Before Congress adjourned the House admitted eight representatives from Tennessee and the Senate her two senators, all taking the prescribed oath of office.<sup>3</sup>

On July 16 the House and the Senate passed over the veto of the President a Freedmen's Bureau Bill limiting the time of its operation to two years ; it was also free from certain other objectionable provisions of the first measure which had been vetoed by the President.<sup>4</sup>

Congress had thus devised a plan of reconstruction. The continuance of the Freedmen's Bureau was a work

<sup>1</sup> Among these, were the limiting the franchise to those "publicly known to have entertained unconditional Union sentiments from the outbreak of the rebellion until the present time." Reconstruction Tennessee, p. 30, House Reports of Committees, vol. ii., 39th Cong. 1st Sess., and the conferring of civil rights on the negroes, *ante*; McPherson, p. 42. The franchise was limited to white men. Attempts in the House and the Senate to impose the condition of "equal suffrage" failed. Pierce's Sumner, vol. iv. p. 286.

<sup>2</sup> *Globe*, p. 4102.

<sup>3</sup> According to Dewitt four Representatives were Johnson Republicans, four radical. Fowler, one senator, was radical. Patterson, the other, was a son-in-law and supporter of Johnson, p. 103.

<sup>4</sup> See *The Nation*, Aug. 2, p. 90. I have not spoken of the abortive efforts of Congress. The two-thirds majority in the Senate was precarious. Largely to re-enforce the dominant party, bills for the admission of Colorado and Nebraska were passed. The first was vetoed by the President and as it was patent it could not be passed over the veto it was not taken from the table of the Senate. The Nebraska Bill was not signed by the President and the adjournment of Congress prevented its becoming a law. Dewitt, pp. 89, 105; Blaine, vol. ii. p. 276; Pierce's Sumner, vol. iv. pp. 284-288; Life of Grimes, Salter, p. 284. A bill extending the suffrage to the negroes in the District of Columbia passed the House but did not come to a vote in the Senate. It was feared that it could not be passed over a veto. *The Nation*, Aug. 2, p. 90; Pierce's Sumner, vol. iv. p. 284; Dewitt, p. 43.

of charity, the Civil Rights Act secured the equality of the negroes before the law, the Fourteenth Amendment combined reasonableness with justice — altogether they are a system of constructive legislation which may justly command the admiration of congressional and parliamentary historians. The process by which this was brought about is a mark of the best legislative achievement. The lawyers of the Senate and the House with Trumbull at their head worked out the Freedmen's Bureau and the Civil Rights laws. To the Unionists on the Joint Committee on Reconstruction with Fessenden as their chief was due the inception which led step by step to the final perfection of the constitutional amendment. Those men comprehended the country's needs and possessed a far-sightedness uncommon in legislatures. The plan was the result of a compromise between the radicals and moderates after months of thought and conference during which were manifested the best qualities of lawmakers as such qualities are estimated in the United States and England. "We have at last agreed upon a plan of reconstruction," wrote Senator Grimes, one of the committee, to his wife, "which, so far as I can learn is quite acceptable to our friends. It is not exactly what any of us wanted; but we were each compelled to surrender some of our individual preferences in order to secure anything and by doing so became unexpectedly harmonious."<sup>1</sup> Had the radicals prevailed, the plan (if I interpret the subsequent history correctly) would have been inferior in statesmanship to the one actually adopted and had the moderates had entirely their own way in the committee the necessary two-thirds vote in Congress could not have been obtained.<sup>2</sup>

<sup>1</sup> April 30, Salter, p. 292. This was the amendment passed by the House May 10. The third section was as we have seen, entirely changed. The other sections were in essence, though not in phraseology, the same as finally agreed upon.

<sup>2</sup> Storey (*Life of Sumner*, p. 316) refers on the authority of Wilson's *Rise and Fall of the Slave Power*, vol. iii. p. 650, to the adoption by the committee

The majority report of the Joint Committee on Reconstruction written by Fessenden is a state paper eminently concise, lucid and sage. Owing to his illness it was not prepared when the resolution proposing the amendment was submitted to Congress nor was it ready while the most important steps towards the adoption of the amendment were being taken. The formal report itself therefore did not influence Congress although the arguments contained in it being presented in other ways determined their plan; and the report is significant as showing the considerations which swayed the committee, as a justification for the action of Congress and as a campaign document in the political contest of 1866.

"While the President urged the speedy restoration of these States lately in rebellion," say the Unionists on the committee, "the impropriety of proceeding wholly on the judgment of any one man, however exalted his station, in a matter involving the welfare of the republic in all future time, or of adopting any plan, coming from any source, without fully understanding all its bearings and comprehending its full effect, was apparent." Ample information was needed and for the purpose of procuring it the work was divided among sub-committees who severally took a large amount of valuable evidence which was submitted with the report. The evidence testifies to extensive labour, and taken in connection with Fessenden's paper indicates that the manner of procedure was to amass facts, reflect upon them profoundly and out of the fusion evolve a plan of practical action.

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of a more radical plan than the Fourteenth Amendment. This was afterwards reconsidered and the constitutional amendment reported to the House by Stevens was substituted for it. The Journal of the Joint Committee on Reconstruction, April 21, 23, 25, 28, supports these statements. When the more radical plan was adopted Fessenden was ill but he was present when the final action was taken. On the sentiment in the committee during February see *The Nation*, Feb. 22, p. 227.

The claim that the States had a right to immediate representation in Congress was examined and demolished. The "rebels" "yielded because they could no longer resist, affording no evidence whatever of repentance for their crime and expressing no regret, except that they had no longer the power to continue the desperate struggle."<sup>1</sup> "The conquered rebels were at the mercy of the conquerors." The United States government "had a most perfect right to exact indemnity for the injuries done and security against the recurrence" of similar trouble in the future. "Your committee do not deem it either necessary or proper to discuss the question whether the late Confederate States are still States of this Union or can ever be otherwise. Granting this profitless abstraction about which so many words have been wasted, it by no means follows that the people of those States may not place themselves in a condition to abrogate the powers and privileges incident to a State of the Union and deprive themselves of all pretence of right to exercise those powers and enjoy those privileges. . . . It is most desirable that . . . at the earliest moment consistent with the peace and welfare of the nation all these States should become fully represented in the national councils and take their share in the legislation of the country. . . . By an original provision of the Constitution representation is based on the whole number of free persons in each State and three-fifths of all other persons. When all become free representation for all necessarily follows. As a consequence the inevitable effect of the rebellion would be to increase the political power of the insurrectionary States whenever they should be allowed to resume their positions as States of the Union. As representation is by the Constitution based upon population your committee did not

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<sup>1</sup> The fact stated in the sentence is indisputable but the use of the word "crime" evidences how far apart were the North and the South. What the North called a "crime" the South termed a "glory."

think it advisable to recommend a change of that basis.<sup>1</sup> . . . As the best if not the only method of surmounting the difficulty and as eminently just and proper in itself your committee came to the conclusion that political power should be possessed in all the States exactly in proportion as the right of suffrage should be granted without distinction of color or race. This it was thought would leave the whole question with the people of each State, holding out to all the advantage of increased political power as an inducement to allow all to participate in its exercise. Such a provision would be in its nature gentle and persuasive and would lead, it was hoped, at no distant day to an equal participation of all without distinction in all the rights and privileges of citizenship." In conclusion referring to the immense power assumed by the President in carrying out his policy of reconstruction the majority report said: "The constitutional form of government is thereby practically destroyed and its powers absorbed in the Executive. And while your committee do not for a moment impute to the President any such design but cheerfully concede to him the most patriotic motives they cannot but look with alarm upon a precedent so fraught with danger to the republic."<sup>2</sup>

The Fourteenth Amendment, an act of care and fore-

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<sup>1</sup> There was considerable debate on the different projects for basing representation on voters. The advocacy in 1865 and 1866 by the Springfield *Republican* and *The Nation* of an amendment to the Constitution establishing an educational test for suffrage in the whole country opened up another possibility; see *Life of Bowles, Merriam*, vol. ii. p. 19; *The Nation*, Nov. 29, 1866, p. 431.

<sup>2</sup> The report was signed by W. P. Fessenden, James W. Grimes, Ira Harris, J. M. Howard, George H. Williams, Thaddeus Stevens, Justin S. Morrill, Jno. A. Bingham, Roscoe Conkling, George S. Boutwell. I do not know why E. B. Washburne and H. T. Blow did not sign the report. The three Democratic members made a minority report. The reports and evidence are printed in vol. ii., Reports of Committees, 39th Cong. 1st Sess. The reports are printed by McPherson, p. 84, and the names of Washburne and Blow appear affixed to the majority report.

sight,<sup>1</sup> a fitting complement to the Thirteenth, was a logical result of the deliberations of the Joint Committee on Reconstruction. The first section incorporated the bill of Civil Rights into organic law. In discussions at the South in their work of reorganization the opinion of the Supreme Court in the Dred Scott case<sup>2</sup> was appealed to in support of harsh legislation against the negroes. It was therefore a proper sequel to the social revolution which had taken place that the Constitution should deny the obiter dictum of Taney and as a result of the war should declare that the negroes had become citizens and had "rights which the white man was bound to respect."

Of all proposed solutions of the question of negro suffrage none was so wise as the second section of the Fourteenth Amendment. As is well known, representation in the Southern States owing to one of the compromises of the Constitution, was based on the free population plus three-fifths of the slaves.<sup>3</sup> To take a concrete example, South Carolina, where the coloured people exceeded the whites, was entitled according to the apportionment under the census of 1860 to 4 representatives, 2 of which were due to counting three-fifths of the slaves. If her representation was based upon the whole population, black as well as white, she would have the privilege of sending 5 members to the House but only 2 if she denied the negro the franchise. Under the 1860 census apportionment the eleven States which had joined the Confederacy had 61 representatives, 16 of which were based on the three-fifths provision. If they enfranchised the negroes they would have 70 members; if they denied the coloured man the vote, their representation would be reduced to 45.<sup>4</sup>

<sup>1</sup> Contrariwise the Springfield *Republican* which was not radical called it "a shabby piece of joiner-work." — Life of Bowles, Merriam, vol. ii. p. 27.

<sup>2</sup> Vol. ii. p. 255.

<sup>3</sup> Vol. i. p. 17.

<sup>4</sup> These figures are taken from a carefully prepared table presented in the House by Roscoe Conkling Jan. 22, p. 357. The results are different from

The short-sighted Southern politician, the one who refuses a fair concession in the expectation of getting more, was seen in Alexander H. Stephens. "The people of Georgia," he said, "feel that they are entitled under the Constitution of the United States to representation. . . . I do not therefore think that they would ratify the amendment suggested [one to base representation substantially on voters] as a condition precedent to her being admitted to representation in Congress."<sup>1</sup> The broad-minded and candid man ready to accept a fair proposition without haggling, was seen in Robert E. Lee. The substance of the proposed amendment<sup>2</sup> being unfolded to him, he said in his testimony before the Joint Committee on Reconstruction, "So far as I can see I do not think the State of Virginia would object to it." "Would she consent under any circumstances," asked Senator Howard, "to allow the black people to vote, even if she were to gain a larger number of representatives in Congress?" "That would depend upon her interests," replied Lee. "If she had the right of determining that, I do not see why she should object. If it were to her interest to admit these people to vote, that might overrule any other objection that she had to it." "What," returned Howard, "in your opinion would be the practical result? Do you think that Virginia would consent to allow the negro to vote?" "I think that at present," said Lee, "she would accept the smaller representation. I do not know what the future may develop. If it should be plain to her that these

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Stevens's hasty reckoning by percentages, *Globe*, p. 74. A rigid enforcement of this provision might have lost Kentucky and Missouri, without negro suffrage, each a member but it would not have affected Delaware or Maryland.

<sup>1</sup> Testimony, April 11, Reconstruction, Arkansas, etc., p. 162.

<sup>2</sup> The amendment reported by Stevens Jan. 31, *ante*, p. 594, which he regarded as better for the North than sec. 2 of the Fourteenth. Sumner however, as we have seen, opposed the former and voted for the latter. So far as I am able to see they are essentially the same.

persons will vote properly and understandingly, she might admit them to vote."<sup>1</sup>

The theory of the second section of the Fourteenth Amendment is clear. Applying in its general terms to all the States it was especially directed at those of the South, and properly so, as the large number of former slaves constituted a peculiar condition. The Republicans believed that for ten years before the war the South in combination with the Northern Democrats had lorded it over the North and when her dominion had received a check she had appealed to the sword. Now the God of battles having decided against her the Republicans proposed, since they had the power, to prevent, by fair means if possible, a restoration of that joint control. They practically said to the South, if you do not enfranchise the negroes it is not right that you should have a representation based on that population — in other words, the inequalities which will in a greater or less degree obtain under a representative government must not be in your favour. Instead of having a larger voice in the national councils your influence, as the vanquished in an unsuccessful revolution or attempt to maintain a supposed constitutional principle should be diminished. Under the then survival of the war sentiment, so cogent an argument could not fail to be crystallized in a legislative act: at the present day<sup>2</sup> the strength of the argument and the essential justice of the measure will at the North be hardly questioned. To harmonize with present conditions and to receive the sanction of a future generation is a tribute to any scheme of legislation.

But Congress were more lenient in practice than in theory. Their intent regarding the enforcement of this second section may be best inferred by their action in the case of Tennessee. Her eight representatives, based on the apportionment of 1860, one of whom was due

<sup>1</sup> Testimony, Feb. 17, Reconstruction, Virginia, etc., p. 134.

<sup>2</sup> 1904.

to three-fifths of her slaves, were admitted to the House. Had the congressional plan of reconstruction been accepted by the South, members from the several States, fifty-three in all (in addition to Tennessee), would undoubtedly have been let in on the same basis. That representation would not probably have been changed until 1872, as previous to that, an apportionment could not have been made based on the census of 1870, and, had the proposition been accepted at once, it is not likely that Congress would have ordered a new census or diminished by percentages the Southern representation. What Johnson and the Southerners claimed as their rightful share in the national legislature was offered them for six years, during which they could deliberate on the question of negro suffrage and at the end of which their sixty-one representatives and twenty-two senators (in these numbers Tennessee is included) would have a part in establishing the machinery for the enforcement of this section.<sup>1</sup>

Section third of the Fourteenth Amendment was more merciful than the original section reported from the Committee on Reconstruction and was so regarded by the Johnson Republicans and Democrats;<sup>2</sup> and yet it is the only part of the amendment open to criticism from the historical perspective. The effect of it was to render ineligible to Federal or State offices a large number of men whose influence was needed to induce the South to accept the new order. Governor John A. Andrew saw what was the correct policy and in his vale-

<sup>1</sup> It is of course difficult to establish the probable action of Congress but I feel pretty sure of my judgment. For a further search than my own I have again had recourse to D. M. Matteson. A fair inference from the conflicting testimony supplied by his references to the *Globe* brings me to the same conclusion. See the *Globe* from May 1, 1866 on, pp. 2332, 2543, 2858, 2879, 2948, 3090, 3170, 3202-3203, 3303, 3948, 3950, 3977, 3978, 3980, 3981, 3987, 3990, 3991, 3992, 3994, 3996, 3999, 4000, 4003, 4007, 4056, 4102, 4157, 4308, 4305; Appendix, p. 282.

<sup>2</sup> See the votes, *ante*, p. 596.

dictory address to the Massachusetts legislature January 4, 1866 outlined it in those logical and generous words to recall which awakens regret for his untimely death before he had the opportunity to consecrate to the nation the talents which had been so serviceable to his Commonwealth. "I am confident," he said "we cannot reorganize political society with any security: 1. Unless we let in the *people* to a co-operation and not merely an arbitrarily selected portion of them. 2. Unless we give those who are by their intelligence and character, the natural leaders of the people, and who surely will lead them by-and-by, an opportunity to lead them now."<sup>1</sup>

Andrew saw things as they really were and thought straight; his idea might have been realized had not the

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<sup>1</sup> Nevertheless Andrew did not blink the facts. "Everybody in the Rebel States," he said, "was disloyal with exceptions too few and too far between to comprise a loyal force sufficient to constitute the State, even now that the armies of the Rebellion are overthrown. . . . The truth is the public opinion of the white race in the South was in favor of the rebellion. The colored people sympathized with the Union cause." The men opposed to secession "were with very few exceptions not the leading minds, the courageous men, the impressive and powerful characters—they were not the young and active men. And when the decisive hour came, they went to the wall. . . . The Revolution either converted them or swept them off their feet. Their own sons volunteered. They became involved in all the work and in all the consequences of the war. . . . All honor to the loyal few! But I do not regard the distinction between loyal and disloyal persons of the white race, residing in the South, during the rebellion, as being, for present purposes, a practical distinction. It is even doubtful whether the comparatively loyal few (with certain prominent and honorable exceptions) can be well discriminated from the disloyal mass. . . . The capacity of leadership is a gift not a device. They whose courage, talents and will entitle them to lead, will lead. . . . Why not try them? They are the most hopeful subjects to deal with in the very nature of the case. They have the brain and the experience, and the education to enable them to understand the exigencies of the present situation. . . . Reorganization in the South demands the aid of men of great moral courage, who can renounce their own past opinions and do it boldly; who can comprehend what the work is and what are the logical consequences of the new situation; men who have interests urging them to rise to the height of the occasion." This address is printed in the regular official document, in pamphlet and in Chandler's Memoir of Andrew. I have quoted from the last, p. 251 *et seq.* See Life of Andrew, Pearson, vol. ii. p. 278.

President quarrelled with Congress. It may be conjectured that the third section of the amendment was necessary to gain the support of the radicals on the committee and in Congress and to placate a certain sentiment in the country at large, which a year previous had demanded that a number of the Southern leaders should be hanged. Now nobody desired the execution of any "rebel" except Jefferson Davis and the number who clamoured for that had steadily diminished and was still on the wane. But men could not relinquish the feeling that there ought to be some punishment for "rebellion and treason" and the penal quality of this section seemed to satisfy a popular wish. It was indeed right that Davis, Benjamin, Thompson and certain others should be debarred from holding office; but it was eminently desirable that Robert E. Lee, Wade Hampton and the officers generally of the Confederate army, Stephens,<sup>1</sup> Herschel V. Johnson, Governor Brown of Georgia, Governor Vance of North Carolina and others of the same character and standing should be permitted to represent their constituents just as soon as such a policy could receive the assent of the Northern public. If Congress had had confidence in the President this might have been easily managed; they would undoubtedly have given him the power of removing the disability instead of providing the more cumbrous process of a two-thirds vote of their own body.

The fourth section of the amendment requires no defence. Its statements carry their own justification. If there was danger of a movement to repudiate in any way the United States debt or assume the Confederate Section 4 was necessary as a quietus; if the alleged movement was a bugbear the section was needed so that it could no longer intrude into the consideration of the other pressing questions of reconstruction.

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<sup>1</sup> I have presented Stephens in various aspects but I am satisfied that he would have been an efficient help in the work of reconstruction.

This then was the offer of Congress to the South—the Johnson conditions plus the acceptance and ratification of the Fourteenth Amendment.<sup>1</sup> Not so generous as the President's policy the congressional plan was marked by even-handed justice. More carefully wrought out it gained friends by the dignified advocacy of it, while the merit of Johnson's policy was neutralized by the brutality of its apologist. Only by contrast with General Sherman's and the President's projects does it seem to lack generosity; compared with the settlement of any other notable civil war by a complete victor, it is magnanimous in a high degree. It involved no executions, no confiscation of property, no imprisonments. It virtually allowed the vote to every white man on his taking an oath to support the Constitution and it did not admit one negro to the franchise. It vouchsafed to the Southern States the management of their own local affairs subject to the recognition of the civil rights of the negroes, to the Freedmen's Bureau limited in time, and to a temporary military occupation. As a counterpoise to these advantages it held over the South a possible curtailment of representation and for the moment rendered ineligible to office a large number of her leaders. The Southern States ought to have taken advantage of the offer eagerly and at once.

It is asserted that the radicals neither desired nor expected the South to ratify this amendment, believing that the penal section would be the stumbling-block.<sup>2</sup> Stevens indeed no sooner secured one set of conditions than he began to contrive for others and Sumner never pretended that he would consider as final any plan of

<sup>1</sup> During the year 1866 this amendment was ratified by New Hampshire, Vermont, Connecticut, New Jersey, Tennessee and Oregon. All the necessary ratifications were not had until 1868. The certificate of the Secretary of State to its ratification and validity is dated July 20, 1868. McPherson, pp. 194, 379.

<sup>2</sup> Dewitt, pp. 93-96; see Pierce's Sumner, vol. iv. p. 283; Julian's Political Recollections, p. 272.

reconstruction that did not establish impartial suffrage. But their following at this time was not large. John Sherman undoubtedly spoke for the bulk of the Union party in Congress, a number sufficient to constitute a legislative majority, when he wrote on July 2, "The very moment the South will agree to a firm basis of representation I am for general amnesty and a repeal of the test oaths."<sup>1</sup>

A joint resolution proposing a constitutional amendment is not sent to the President for approval as it requires originally two-thirds of Congress; but if Johnson had sympathized with the Fourteenth Amendment the ratification of it by the Southern States would certainly have ensued. Two interviews of his indicate that he might have been expected to support the section pertaining to the basis of representation.<sup>2</sup> The third section was in the spirit of his amnesty proclamation of May 29, 1865 only Congress instead of the President had the power of remission; the fourth he was avowedly in favour of: and to consent to the first section would have been a graceful acceptance of an accomplished fact—the grant of civil rights to the negroes by national law. But he had no idea of yielding an inch and set his face against the amendment, sending gratuitously a message to Congress in which he doubted the propriety of amending the Constitution when eleven States were excluded from representation.<sup>3</sup> While the matter was pending in the Senate, Sumner anticipated Johnson's opposition, writing thus to Bright: "The people sustain Congress which stands firm. But there is no hint that the President will give way; he is indocile, obstinate, perverse, impenetrable and hates the education and civilization of New England.

<sup>1</sup> Sherman Letters, p. 271. This is the John A. Andrew policy, which implied a repeal of the iron-clad oath (*ante*, p. 541, note 1)—an oath properly required during the war but now an impediment to reconstruction.

<sup>2</sup> McPherson, pp. 49, 51; see also General Sherman's opinion, Sherman Letters, p. 264.

<sup>3</sup> June 22, McPherson, p. 83.

Seward encourages him ; McCulloch is bitterly with him ; Dennison sometimes with him and sometimes against him ; Welles is with him ; Stanton, Harlan and Speed are against his policy. . . . When I speak of the opinions of these men I speak according to my personal knowledge, from conversation with each of them. I do not think that they are always frank with the President.”<sup>1</sup>

On July 11 Dennison resigned, chiefly because he differed with the President about the Fourteenth Amendment, which he approved, and about the movement for a popular convention at Philadelphia to sustain the administration which he opposed ; and before the month was out Speed and Harlan also sent their resignations to their chief.<sup>2</sup>

On July 28 Congress adjourned. Elections for members of the Fortieth Congress were to be held in the autumn. The President on one side, the majority of Congress on the other were to appeal to the country.

Two days after Congress adjourned a riot took place in New Orleans in which 37 negroes and 3 of their white friends, but only 1 of their assailants, were

<sup>1</sup> May 21, Pierce's Sumner, vol. iv. p. 288. A quasi-official article in the *National Intelligencer* of May 2 (*Globe*, p. 2333, Dewitt, p. 93) corroborates this in part directly, in part by indirection except in regard to Stanton. Stanton opposed the third section as originally reported to the House. See his speech, May 23, *Life*, by Gorham, vol. ii. p. 309. But Stanton in the main was friendly to the policy of Congress. He advised the President to approve the Freedmen's Bureau Bill, *ibid.*, p. 308, also the Civil Rights Bill, *ante*; see his letter of Dec. 12, 1867, Gorham's *Stanton*, vol. ii. p. 420. For the President's position regarding the amendment, see his message to Congress, June 22, *Globe*, p. 3356.

<sup>2</sup> New York *Tribune*, July 16, 17, 30; Appleton's Annual Cyclopaedia, 1866, p. 756. Seward wrote July 17 before the resignation of Harlan: “I part with Mr. Dennison and Mr. Speed with regret. . . . It does not surprise although it pains me, that all of my associates have not been able to see it their duty, as I see it mine, to sustain the President.” — *Life of Seward*, vol. iii. p. 330. Dennison was succeeded by A. W. Randall of Wisconsin, the First Assistant Postmaster-General ; Speed by Henry Stanbery of Ohio, “a lawyer of high reputation and a gentleman of unsullied character” ; Harlan by O. H. Browning, “who had been a devoted friend of Lincoln.” Blaine, vol. ii. p. 219.

killed ; 119 negroes, 17 of their white sympathizers but only 10 others were wounded. This occurrence had an influence on Northern sentiment highly damaging to Johnson's cause.

The trouble arose from a conflict between men who looked to Congress for support and others who looked to the President. The State government of Louisiana had partly and the city of New Orleans wholly fallen under the control of the ex-Confederates subject of course to the continued military occupation ; but another faction of "political agitators" and "bad men"<sup>1</sup> had started a movement by which they hoped to secure for themselves the power. They brought about a meeting of the convention of 1864 for the purpose of remodelling the constitution of the State and admitting the negroes to the suffrage. Three days before it assembled a large meeting of coloured people was addressed from the steps of the city hall by some of the machinators and at least one speech "intemperate in language and sentiment"<sup>2</sup> was made. "I want the negroes to have the right of suffrage and we will give them their right to vote," the speaker said. "We have three hundred thousand black men with white hearts. Also one hundred thousand good and true Union white men who will fight for and beside the black race against the three hundred thousand hell-hound rebels. . . . We cannot only whip but exterminate the other party. . . . If interfered with, the streets of New Orleans will run with blood."<sup>3</sup>

The occasion of the riot on the day that the delegates met was a procession of coloured men marching to the convention hall which excited unfriendly demonstrations from the crowd of white people in the streets. Shots were fired and "a rush upon the procession"<sup>4</sup> was made,

<sup>1</sup> Words of General Sheridan in command of the department.

<sup>2</sup> Sheridan.

<sup>3</sup> Appleton's Annual Cyclopædia, 1866, p. 454.

<sup>4</sup> Sheridan.

but the negroes reached the Mechanics' Institute (the place of meeting) and entered the hall. On some provocation probably, the large force of police, who had been ordered to the scene opened fire on the building through the windows but ceased when a white flag was hung out ; they then entered the Institute and fired upon the negroes in the convention hall ; by them and by others of the white mob deeds of cruelty and wanton violence were perpetrated. A misunderstanding prevented the Federal troops from reaching the scene in time to prevent the conflict but afterwards owing to the intense feeling of the citizens against the negroes the general in command felt compelled to declare martial law.

Out of the mass of conflicting testimony and partisan comment two facts were clear. Nearly all the victims were negroes. The police,—of whom three-quarters were ex-Confederate soldiers and one of them “a notorious thief,” under the direction of the mayor, an unreconciled Confederate and “bad man,”<sup>1</sup>—had joined with the white mob instead of quelling the riot. “It was no riot,” telegraphed Sheridan to Grant, “it was an absolute massacre by the police which was not excelled in murderous cruelty by that of Fort Pillow. It was a murder which the mayor and police of this city perpetrated without the shadow of a necessity.” At the North it was easy to draw the inference that the coloured people were not safe in the hands of their former masters.<sup>2</sup>

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<sup>1</sup> Sheridan.

<sup>2</sup> The correspondence of Sheridan, Baird (the general in immediate command), the governor, lieutenant-governor and attorney-general of the State, and the mayor from New Orleans with the President, Stanton and Grant is printed in House Ex. Doc. No. 68, 39th Cong. 2d Sess., also the report of the Military Board of Investigation, Sept. 6, and other reports. The majority and minority reports of the Select Committee of the House are printed in Report No. 16. With the evidence and index they make a volume of 596 pp. entitled “Riots in New Orleans.” See also Personal Memoirs of Sheridan, vol. ii. p. 233 ; Appleton's Annual Cyclopædia, 1866, p. 452 ; letter of Stanton, Dec. 12, 1867, Gorham's Stanton, vol. ii. p. 422. On public sentiment, Appleton's Annual Cyclopædia, 1866, pp. 400, 459, 546 ; *The Nation*, Aug. 2, 9 ;

The campaign of 1866 for the election of a House of Representatives and a number of State legislatures which should choose senators took on the character of a presidential canvass. Four national conventions were held. Seward and Weed, with the concurrence of the President and Henry J. Raymond<sup>1</sup> got up the first, the "National Union" which met in Philadelphia on August 14. The delegates from the Northern States were chosen from the Republican and Democratic parties and those from the South were moderate men. Every State was represented and the renewal of former political, social and personal relations between representatives of the two sections was a cause of rejoicing. The convention was held in a large wigwam built for the occasion and the proceedings which were directed by prominent men of both parties were attended by an enthusiastic audience of 12,000 to 15,000. The spirit of the assemblage was typified on the first day by the delegates of Massachusetts and South Carolina walking in together arm-in-arm; and on the third by those same men rising and cheering in unison the resolution which declared slavery abolished and forever prohibited and that the enfranchised slave should receive "equal protection in every right of person and property." What occurred during the session of the committee on resolutions emphasizes the sincerity of the Southerners. When Raymond read the first line of the seventh resolution, "Slavery is abolished and forever prohibited" Judge Yerger of Mississippi said, "Yes and nobody wants it back again," whereupon Raymond remarked "If we can say *that* on behalf of the South and on the authority of its delegates it will strengthen our case very much." In

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Blaine, vol. ii. p. 237; Dewitt, p. 110; Life of Seward, vol. iii. p. 335. On the 1st, 2d, and 3d of May there were riots in Memphis in which twenty-four negroes were killed and one white man wounded. Appleton's Annual Cyclopædia, 1866, p. 730.

<sup>1</sup> Raymond's co-operation was reluctant.

his diary he thus continued the account: "Judge Yerger said we could so far as his State was concerned and turned to Governor Graham of North Carolina and asked if it would not be true of North Carolina. Governor Graham answered that it would and of the whole South also." This prompted Raymond to add these words: "and there is neither desire nor purpose on the part of the Southern States that it [slavery] should ever be re-established upon the soil or within the jurisdiction of the United States."<sup>1</sup> After thirty-six years of observation, study and reflection I am convinced of the absolute truth of this statement.

The main feature of the resolutions in so far as they touched on controverted points, was the approval of President Johnson's reconstruction policy. The Democrats supported this movement heartily but it was recognized that to carry the elections there must be the co-operation of a large number of voters from the Union or Republican party and the leaders bore this constantly in mind. Fernando Wood and Vallandigham had been accredited as delegates but the pains taken to eliminate all Copperhead colour would go for naught if they took part in the convention. Nevertheless their formal exclusion after a heated debate might split the embryo party in twain. Wood appreciating the difficulty withdrew at once gracefully but considerable pressure was necessary to induce Vallandigham to relinquish a contest for his rightful seat.<sup>2</sup>

As is the case in all national conventions a number of office-seekers were present in Philadelphia but apart from them it was a noble and patriotic assemblage whose proceedings were dignified. Of the four conventions it

<sup>1</sup> *Scribner's Monthly*, June, 1880, p. 279.

<sup>2</sup> My principal authorities are the *Journal of H. J. Raymond*, *Scribner's Monthly*, June, 1880, p. 276; *The Nation*, especially the account of the eye-witness, Aug. 23, p. 152; *Harper's Weekly*; Appleton's Annual Cyclopædia, 1866, p. 757; Blaine, vol. ii. p. 220. See also Memoir of R. C. Winthrop, p. 269; *Life of Vallandigham*, p. 409.

shared with the later and opposing one at Pittsburg a spontaneity differing from the other two, and it bade fair to influence public sentiment in a manner that would effectually display itself at the autumn elections. The Johnson supporters had high hopes and may have dreamed of a majority in the new House but any astute observer knew that such a result was not conceivable. The Northern people were with Congress and the only question was how largely would the Congressional party prevail; yet with a proper development of the sentiment aroused by the Philadelphia convention it was possible that the President's party would secure considerably more than one-third of the representatives to be elected in the autumn. Thomas Nast, the caricaturist, portrayed the efficient permanent president of the convention, Senator Doolittle, padlocking the mouths of aspiring delegates lest they might utter other than patriotic sentiments and disturb the "unbroken harmony."<sup>1</sup> Could the senator have applied his padlock to Johnson his and his co-workers' attempt to found a new party might not have been so speedily crushed. The counteraction of the patient labour of weeks and the sagacious management of a heterogeneous convention began the next day after its adjournment with injudicious words of the President. In his speech to the committee who presented him with an official copy of the proceedings of the convention he said, "We have seen hanging upon the verge of the government, as it were, a body called, or which assumes to be, the Congress of the United States—but in fact a Congress of only part of the States."<sup>2</sup> In this declaration, which was one of the gravest impropriety there lurked, in the view of the public, a serious danger. It had been whispered that if a sufficient number of Johnson supporters could be chosen to Congress from

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<sup>1</sup> *Harper's Weekly*, Sept. 29.

<sup>2</sup> Revised report used in the Impeachment of the President, Trial of Johnson, vol. i. p. 302. This will be referred to hereafter as "Trial."

the Northern and Border States, the President would recognize them and the representatives and senators elect of the late Confederate States as the Congress and command the army to sustain their possession of the Capitol. That such a course would be pursued was an idle fear. The ruler who advertises it is not one who executes a *coup d'état* and Johnson was alike too timorous and too patriotic to resort to violence. He undoubtedly deemed this an election *argumentum ad hominem*, so little comprehension had he of Northern sentiment and the weapon with which he was furnishing his adversary.

But the speech in the White House was a trifle in comparison with what followed. Johnson's "electioneering tour" through the country, his "swinging around the circle" (as it was called from words of his own in one of his previous harangues<sup>1)</sup>) nullified the favourable effect of the Philadelphia convention and ruined his chance of securing a strong minority in the next Congress. Invited to take part in the ceremony of laying the corner-stone of a monument to Stephen A. Douglas in Chicago he made it an opportunity of visiting the principal cities of the North and addressing the people, a means of influencing public opinion in which he had great faith. The President was accompanied by Seward, Welles, Randall (Postmaster-General), General Grant and Admiral Farragut. Grant's invitation came in the shape of an order as presumably did Farragut's and Stanton also received word that his company was desired by the President but he did not obey the command.<sup>2)</sup> Leaving Washington on August 28 the stop in Philadelphia was without incident and that in New York was signalized by a partisan, egotistical speech of the President in which he told a sympathetic audience

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<sup>1</sup> Feb. 10, McPherson, p. 58.

<sup>2</sup> Life of Stanton, Gorham, vol. ii. p. 329; *The Round Table*, Sept. 15, p. 99. Seward wrote privately Aug. 25, Mr. and Mrs. Stanton "cannot go with us which they regret." — Life of Seward, vol. iii. p. 340.

that he had "filled every office in the country" "from the position of the lowest alderman in your city to President of the United States."<sup>1</sup>

From New York to Cleveland a number of stops were made and part of the journey was "an indecent orgy";<sup>2</sup> indeed no such presidential progress has ever been known. When Johnson appeared on the balcony of the Kennard House in Cleveland (September 3) to speak to the people he was intoxicated: the brutality of his nature was uppermost rendering him especially unfit to address a mass of men who for the most part were partisans of Congress. A scene ensued which seemed to drag the presidential office to the lowest depth of degradation. "I was placed upon the ticket," he said, "with a distinguished fellow-citizen who is now no more. I know there are some who complain. [A voice, "Unfortunately."] Yes unfortunate for some that God rules on high and deals in right. . . . Who can come and place his finger on one pledge I ever violated or one principle I ever proved false to? [A voice, "How about New Orleans?"] Another voice, "Hang Jeff Davis."] Hang Jeff Davis, he says. Hang Jeff Davis. Why don't you hang him? Haven't you got the court? Haven't you got the Attorney-General? Who is your Chief Justice and has refused to sit upon the trial? . . . I called upon your Congress that is trying to break up the Government. [Cries, "You be d—d" and cheers mingled with hisses. Great confusion. "Don't get mad Andy."] Well I will tell you who is mad. 'Whom the gods wish to destroy, they first make mad.' Did your Congress order any of them to be tried? [Three cheers for Congress.] . . . In this crowd here to-night the remark has been made, 'Traitor, Traitor!' My countrymen will you hear me? . . . I want to know when or where or under what circumstances Andrew Johnson

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<sup>1</sup> McPherson, p. 134.

<sup>2</sup> Lowell, *post.*

ever deserted any principle or violated the Constitution of his country." [Cries of "Never" and "You abandoned your party."] As the bandying of words went on he heard a voice from the crowd, "Is this dignified?" "I understand you," he retorted. "You may talk about the dignity of the President. [Cries, "How was it about his making a speech on the 22d of February?"] . . . I care not for my dignity. A certain portion of our countrymen will respect a citizen wherever he is entitled to respect. . . . [A voice, "Traitor."] I wish I could see that man. I would bet you now that if the light fell on your face, cowardice and treachery would be seen in it. Show yourself. Come out here where I can see you. . . . I come here neither to criminate or recriminate but when attacked my plan is to defend myself." He continued with a defence of his policy. Towards the end of his harangue he was asked "How about Louisiana?" to which he replied, "You let the negroes vote in Ohio before you talk about negroes voting in Louisiana."<sup>1</sup>

The celebration at Chicago passed off with "comparative decorum";<sup>2</sup> but in St. Louis (September 8) the President irritated by cries of "New Orleans," broke out into a charge that the riot there was "substantially planned" by the "radical Congress." He defended "my policy" and abused his opponents, imputing to many of them in essentially vulgar terms a desire to hold on to the Federal offices. He alluded to Christ and Judas, to Moses, to Thaddeus Stevens, Wendell Phillips and Charles Sumner, in a manner that would have been blasphemous and vituperative even in a stump speaker.<sup>3</sup> At Indianapolis on his homeward journey he was

<sup>1</sup> McPherson, p. 134; Trial, vol. i. p. 325; Dewitt, p. 115; editorial comments of Cleveland *Herald*, Sept. 4, 6, 7, 10, *Plain Dealer*, Sept. 5, 6, 7, *Leader*, Sept. 5, 7; Boston *Advertiser*, Sept. 5; New York *World*, Sept. 6, *Times*, Sept. 7, *Tribune*, Sept. 8, *Evening Post*, Sept. 11.

<sup>2</sup> Dewitt, p. 118.

<sup>3</sup> McPherson, p. 136; Trial, vol. i. p. 340.

silenced by the yelling and hooting of a mob which further insulted him with contumelious taunts.<sup>1</sup>

The President returned to the White House utterly discredited before the country. The words of *The Nation* were as accurate as any such general statement can be, "Probably no orator of ancient or modern times ever accomplished as much by a fortnight's speaking as Mr. Johnson has done."<sup>2</sup> Lowell spoke of the journey as "an advertising-tour of a policy in want of a party," and an "unhappy exposure of the unseemly side of democratic institutions"; of Johnson as "the first of our chief magistrates who believed in the brutality of the people and gave to the White House the ill-savor of a corner-grocery."<sup>3</sup> The feeling against him, wrote John Sherman, "was intensified by his conduct in his recent tour when he sunk the Presidential office to the level of a grog-house."<sup>4</sup> A policy devised by the angels could not stand such advocacy and the ratting from the party of the President to the

<sup>1</sup> Dewitt, p. 123; Life of Morton, Foulke, vol. i. p. 483.

<sup>2</sup> Sept. 27, p. 241.

<sup>3</sup> The Seward-Johnson Reaction, *North American Review*, Oct. 1866, pp. 525, 526, 528, 529. This is a strong piece of political satire. The following will impress any one who has read Johnson's speeches: "For so much of Mr. Johnson's harangues as is not positively shocking, we know of no parallel so close as in his Imperial Majesty Kobes I. :—

"' Er rühmte dass er nie studirt  
Auf Universitäten  
Und Reden sprach auch sich selbst heraus,  
Ganz ohne Facultäten.'"—p. 524.

Lowell had no sympathy with the ostensible object of the journey, and gave a merciless characterization of Douglas. He and Charles Eliot Norton were joint editors of the *Review*, and this number contains a bitter attack on Douglas from George W. Curtis. The circulation of the *Review* was probably small, and I do not know how extensively extracts from these articles were copied in the press. But Lowell's article, and in a very much less degree Curtis's as a background, made a very effective campaign document. I remember well their powerful impression on me at the time; and in re-reading them I comprehend their potency.

<sup>4</sup> Oct. 26, Sherman Letters, p. 278.

party of Congress assumed large proportions.<sup>1</sup> Johnson attempted to arrest the run by replacing steadfast Republicans with his own adherents: during the campaign he removed 1283 postmasters and made similar decapitations in the custom-houses and internal revenue offices.<sup>2</sup> But as this sometimes meant turning out of "wounded soldiers" and "putting in men who opposed the war throughout" the operation did him probably more harm than good.<sup>3</sup>

The three national conventions which succeeded the Johnson Philadelphia convention were planned before the presidential journey, otherwise none of them would have been needed. The Southern loyalists, summoned for the purpose of foiling the Johnson assemblage, came together in Philadelphia on September 3; but the delegates from the late Confederate States compared unfavourably in character or ability with those of the earlier convention and for the most part were soldiers of political fortune. "Parson" Brownlow now Governor of Tennessee, a man of less ability than Johnson but of even greater power of vituperation, was a fair representative of the better Southern element concerned in the movement; and ex-Attorney-General Speed, who was president of the convention and made an important speech gave it a character of weight and dignity. The Southern loyalists invited delegations from the Northern States for conference and accordingly prominent Republicans of high standing in the country and the party gave by their presence their approval of the convention although they met apart. The delegates from both the South and the North were received enthusiastically in

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<sup>1</sup> *The Nation*, Sept. 27, pp. 241, 243. The abandonment of Johnson by the New York *Herald* was significant.

<sup>2</sup> Dewitt, p. 108; *The Nation*, Sept. 6, p. 191; Sept. 27, p. 241.

<sup>3</sup> Sherman Letters, p. 278. Petroleum V. Nasby, the humorist of the campaign, represented himself as sympathizing with the Southern cause, and obtaining therefor the post-office at "Confederit x Roads," Kentucky, in the place of a turned-out wounded Federal soldier.

the city and the large mass-meeting in their honour was a reminder of a presidential campaign. The address which was voted by the loyalists summed up the argument of which the riots at Memphis and New Orleans were a part by charging that "more than a thousand of devoted Union citizens have been murdered in cold blood since the surrender of Lee."<sup>1</sup> These presumably were for the most part negroes.

The Johnson supporters called a soldiers' and sailors' convention which met in Cleveland September 17. Many officers assembled but among them were none of the great generals of the war. Nevertheless two features of this convention made it conspicuous. One was a letter of sympathy and good sense from Henry Ward Beecher who cast his large influence on the side of the President.<sup>2</sup> The other was a telegraphic correspondence of a fraternal and praiseworthy character with a number of Confederate soldiers assembled in Memphis. But signed to the Southern despatch was the name of N. B. Forrest, and this fact was used by the supporters of Congress to recall Forrest's alleged participation in the massacre of Fort Pillow and thereby prevent the good effect that might otherwise have been produced by this friendly exchange of sentiments between the fighters in the late conflict.<sup>3</sup>

The last convention, which met in Pittsburg Septem-

<sup>1</sup> New York *Tribune*, Sept. 7. I doubt very much whether this number could have been substantiated.

<sup>2</sup> Aug. 30, Biography of H. W. Beecher, p. 465; Life, by Abbott, p. 282. In a private letter of Sept. 6, Beecher showed a comprehension of the state of affairs, writing: "Mr. Johnson just now and for some time past has been the greatest obstacle in the way of his own views. The mere fact that he holds them is their condemnation with a public utterly exasperated with his rudeness and violence." The New York *Evening Post* which opposed the radicals such as Stevens said Sept. 11: "It is a melancholy reflection to those who have found it their duty to support that policy [Johnson's] that their most damaging opponent is the President and that he makes a judicious course so hateful to the people that no argument is listened to, and no appeals to reason, to the Constitution, to common sense can gain a hearing."

<sup>3</sup> Blaine, vol. ii. p. 230; Appleton's Annual Cyclopædia, 1866, p. 759.

ber 25 was a large, enthusiastic and patriotic gathering of citizens, soldiers and sailors opposed to the President's policy. General J. D. Cox presided and declared that the proposition of Congress, the Fourteenth Amendment, was wise and magnanimous and received the support of those who had fought out the war.<sup>1</sup>

State conventions of the two parties were held as usual and the ordinary declarations of principles were adopted. These declarations, the resolutions of the four national conventions and the speeches made during the campaign presented a clearly defined issue to the voters. Shall the late Confederate States be admitted to representation in Congress and given control of their local affairs without further conditions as the Johnson supporters advocated or must they in addition ratify the Fourteenth Amendment which was the platform of the party of Congress? After Johnson's "swinging around the circle" the lining-up was the old one of Republicans and Democrats and so shall I designate the two parties in the future. Only a few of the Union party adhered to the President: they were men prominent in public life who having taken a position could not now consistently retrace their steps and seekers or holders of the "offices" who were called "the bread-and-butter brigade."

The radicals were not satisfied with the Fourteenth Amendment as the sole further condition of reconstruction and at times let it be known that in their opinion the negroes at the South must on some terms be given the suffrage, yet a careful study of the canvass will not fail to bring conviction that the party as a whole was committed to the policy of the Fourteenth Amendment and would stand to it in the event of success; it must moreover be continually borne in mind that victory for the Republicans necessitated the winning of a two-thirds majority in Congress.

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<sup>1</sup> Blaine, vol. ii. p. 230; Appleton's Annual Cyclopædia, 1866, p. 760; New York *Tribune*, Sept. 26.

Vituperation and abuse on the part of Johnson begot the same in his opponents. Thaddeus Stevens and Benjamin F. Butler, who was a candidate for Congress in a Massachusetts district but threw himself with ardour into the canvass of the whole country, were masters of the art. One of Stevens's speeches called forth these words from *The Nation*: "The cause [*i.e.* of Congress] is worthy of the tongues of angels; but angels" as we imagine them can certainly do nothing "but weep over some of the speeches made in its defence."<sup>1</sup> Lowell had no love for Stevens and was quite willing to let him "be paired off with Vallandigham and to believe that neither is a fair exponent of the average sentiment of his party."<sup>2</sup> On the other hand Trumbull who with Fessenden stood for the plan of Congress more than any other two Republicans took a prominent part in the campaign.

While some of the President's performances during the "swing around the circle" were deemed too sad for gibes (for the country's disgrace swallowed up party advantage), his defence of what was called "my policy" and other features of the Democratic canvass lent themselves readily to ridicule. The pencil of Thomas Nast and the pen of Petroleum V. Nasby were enlisted on the side of the Republicans. As one turns over the pages of *Harper's Weekly* for the pictorial humour of the one and reads the letters contributed to the press by the other, one appreciates what effective arguments they were with a "laughter-loving people."<sup>3</sup> Postmaster Nasby wrote: "I was summoned to Washington by that eminently grate and good man Androo Johnson to attend a consultation ez to the proposed Western tour, wich wuz to be undertaken for the purpose uv arousin the masses uv the West to a sence uv the danger wich wuz threatenin uv em in case they persisted in central-

<sup>1</sup> Oct. 4, p. 281, see also Oct. 11, p. 281.

<sup>2</sup> *North American Review*, Oct. 1866, p. 535.

<sup>3</sup> Vol. ii. p. 129.

izin the power uv the Government into the hands uv a Congress instid uv diffusin it throughout the hands uv one man.”<sup>1</sup>

A reference to the New Orleans massacre was one of the potent Republican arguments. The pictures of different scenes of it in one number of *Harper's Weekly*<sup>2</sup> and Nast's delineation of the shooting down of negroes in New Orleans and Memphis as a result of Johnson's reconstruction policy<sup>3</sup> drove this argument home. Andersonville likewise was a word to conjure with. The belief still existing that Jefferson Davis may have been concerned in the assassination of Lincoln (support to which was given by Representative George S. Boutwell's report in July) and indignation that the “arch traitor” was yet unpunished were additional influences operating on men's minds.

Maine and Vermont voted in September and gave large Republican majorities. Pennsylvania, Ohio, Indiana and Iowa, then “October States” did likewise. All the Northern States that held elections in November, of which New York was the most important, indicated the same direction of the popular will. The Republican majorities in twenty Northern States were in the aggregate 405,000 which was larger than Lincoln's majority of the popular vote of 1864 exclusive of the soldiers' vote.<sup>4</sup> The Border States were divided, Delaware, Maryland and Kentucky being Democratic, West Virginia and Missouri Republican. The next Congress (the Fortieth) would consist of: Senate, 42 Republicans, 11 Democrats; House, 143 Republicans, 49 Democrats, a working majority of considerably more than two-thirds. By an overwhelming vote the people of the North sustained

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<sup>1</sup> The quintessence of this campaign fun may be found in a little volume published in 1867, entitled “Swingin round the Cirkle,” by Petroleum V. Nasby, illustrated by Thomas Nast. The quotation is on p. 205.

<sup>2</sup> Aug. 25.

<sup>3</sup> Sept. 1.

<sup>4</sup> *The Nation*, Nov. 15, p. 390; *Tribune Almanac*.

Congress and comprehending the situation gave the Republicans enough senators and representatives to carry out a policy of reconstruction despite any opposition on the part of the President.<sup>1</sup>

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<sup>1</sup> In my account of this campaign, I have consulted continually the files of *The Nation*, *Harper's Weekly*, and *Round Table*, and everything bearing on it in Appleton's Annual Cyclopædia for 1866. See also Sumner's address, Oct. 2, Works, vol. xi.; Trumbull's speeches, Aug. 1, 31, Chicago *Tribune*, Aug. 2, Sept. 1; editorials New York *Tribune*, Sept. 27, Oct. 5, 17, 29, 30, Nov. 1, 6, 10; Boston *Advertiser*, Sept. 3, 11, 13, 17, Oct. 12; Chicago *Tribune*, Aug. 14, 24, 25, Sept. 10, 28, Oct. 3, 11, 27.

Conversations with George H. Monroe, Secretary John Hay, Thornton K. Lothrop, Henry L. Higginson, Charles F. Adams, Charles Eliot Norton, William Endicott and Edward Atkinson have assisted me much in the use of my material for this volume. I am indebted for aid to Charles K. Bolton, Librarian, and to Miss Wildman and Miss Wall, assistants in the Boston Athenæum, to C. B. Tillinghast, Librarian of the State House Library, Boston, to Herbert Putnam, Worthington C. Ford, and R. P. Falkner of the Library of Congress, to Miss Wyman, my secretary, to Mrs. Beall and D. M. Matte son; and to my son, Daniel P. Rhodes, for a valuable literary revision of this volume.

When the Memoirs of Henry Villard and Pearson's "Life of Governor Andrew" were published the work of the printer was so far advanced that I was unable to make more than a limited use of them.

My greatest obligation for my history of the Civil War is due to the United States government for the unique publication, War of the Rebellion: Official Records of the Union and Confederate Armies (referred to in my history as O. R.). This publication of 128 volumes cost \$2,858,574.67, or about \$2233 per volume (see vol. 130, p. v). Rarely has money for the behoof of history been better spent. Devoted to this great work have been the zeal, intelligence and good judgment of the editors and their assistants. In the preface to the General Index, published in 1901 (Serial No. 130), signed by Elihu Root, Secretary of War, is given an interesting history of the enterprise, the first volume of which was published in 1881 and the last twenty years later. The work of compilation was begun under Stanton and continued under the direction of the secretaries of war, his successors, from General Grant to Elihu Root (vol. 130, p. iii). The names of men who as editors or assistants have had to do with this publication are mentioned (see pp. vii, xxi), and they should be inscribed on a historic roll of honour. Of them I shall name Robert N. Scott, Marcus J. Wright, George B. Davis, Leslie J. Perry, Joseph W. Kirkley, George W. Davis, Fred. C. Ainsworth. Secretary Root writes (p. xxi), "It is but just to say that the name most closely associated with the work from its inception to its completion is that of Joseph W. Kirkley." The acknowledgments of the War Department to the Confederate generals, to Jefferson Davis and his widow for assistance in the collection of materials and the facts stated in connection therewith have probably no parallel in historical literature.

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